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EDITOR'S NOTE

STRATEGIC IMPACT, 50TH JUBILEE EDITION

Distinguished collaborators and readers,

The year 2014 has multiple significations in the Romanian military environment, as it marks 100 years since the outbreak of the First World War and ten years since Romania's accession to NATO, whose Treaty was signed 65 years ago. "Carol I" National Defence University (NDU) is celebrating 125 years since it was founded, and the Centre for Defence and Security Strategic Studies (CDSSS) is proudly announcing the 50th jubilee edition of *Strategic Impact* journal. Metaphorically speaking, we could say that the journal is half a century old in terms of published issues... almost a decade and a half in years... it does not seem a lot, in comparison with the history of the prestigious institution in which we develop our activity, nevertheless it is not a petty thing, nor an insignificant aspect, if one thinks of its evolutionary path.

The initiative to create in 2001 a distinctive journal came naturally and was appreciated, having in mind that CDSSS is the functional unit for fundamental research in the field of national defence and security within NDU. *Strategic Impact* may also be seen as an instrument serving the broader aim of our university to become an important pole of knowledge and expertise in the field of Military Sciences.

Although much younger than some of the partner publications with a longer history than ours, such as "Romanian Military Thinking" (first year of publication – 1864) or the "Bulletin of Carol I National Defence University" (first year of publication – 1937), *Strategic Impact* journal has imposed itself over the time, becoming a valuable milestone in the Romanian military editorial patrimony.

The vocation of the journal is a broad dissemination of the scientific research developed by CDSSS researchers, at the same welcoming in its pages consecrated names in the Romanian and international academia within the military and connected fields, as well as young researchers with potential. The journal represents a space for high academic debates on important conceptual products in the field of military theory and science.

The title – *Strategic Impact* – was not randomly chosen, having a double significance. On the one hand, it expresses the fact that the publication is meant for analyses, syntheses and evaluations of strategic level, as well as points of view in which is studied the impact of the political-military actions' dynamics taken at national, regional and global level, the published materials approaching one of the following themes that represent the rubrics of the journal – political-military topicality; security strategies, military strategy, NATO and EU policies, strategies and actions; the issue of peace and of the future's warfare, information society, elements and aspects related to information community. On the other hand, there was envisaged that the publication have a strong impact in the Romanian strategic environment. We can deem this desiderate was fulfilled, as, along time, especially in the last years, we have received positive appreciations from practitioners, members of the scientific community, as well as from some representatives of the decision-making area.

Referring to the evolutional path of the Romanian edition, *Impact strategic* had in the first year (2001) a single issue, in the following year – three printings, out of which one contained two issues, in 2003 there were two impressions of two issues each, and since 2004, the frequency reached four issues per year and remained as such, the journal being printed quarterly ever since. Statistically speaking, up to now, there were printed about 15,000 copies of the journal (in Romanian and English as well), the journal having included in its pages about 800 scientific articles.

From the point of view the editorial aspect and of the scientific quality of the articles included in the journal, *Strategic Impact* imposes itself with its elegant sobriety, well known to our readers and collaborators and especially with the scientific rigour imposed to authors. Anecdotally, we can divulge that some of the authors perceive the editing process as a real Gordian knot. This is an aspect in which we take pride, as, along the 50 editions printed in thirteen years, including this one, the main criterion for selecting articles has been scientific quality.

Mainly due to this aspect, *Strategic Impact* has constantly answered to accreditation requirements and thus obtained, following the annual evaluations from the part of the National University Research Council (CNCSIS) in Romania progressive qualificatives, as follows: acknowledgement since 2004, C category (no. 2/2005), then B category (no. 3/2005) and respectively B+ (since 2007 until 2011). Starting with 2012, according to the new criteria of the new evaluation forum for scientific journals – National Council for the Recognition of University Degrees, Diplomas and Certificates in Romania (CNATDCU) – *Strategic Impact* was included on the list of scientific journals “with acknowledged prestige in the field of Military Science, Information and Public Order”.

The English version of the journal had a distinctive path to some extent; it was first published in 2005 as a mirror of the Romanian version, with the aim to make the publication visible abroad, in the international scientific community. This aspect, together with the scientific evaluation of the articles, made possible the inclusion of the journal in electronic format in several prestigious international databases: in 2009, the whole content in English language (from 2005 up to that date) was incorporated in CEEOL database (Central and Eastern European Online Library, Germany), and the same was done in 2011 with IndexCopernicus database (Poland). Since 2012, we have obtained the privilege to index the content of the publication in two additional databases, EBSCO



and ProQuest (USA). The international appreciation of the journal's quality is also confirmed by its presence in the virtual catalogues of libraries or on the sites of other prestigious foreign publications belonging to partner military academic institutions. We mention, for instance, its inclusion (starting with 2012) in the NATO Multimedia Library.

The report showing the number of accessions of *Strategic Impact* articles for 2013 through ProQuest database indicates almost 1,000 consultations from users in the U.S., Europe, Australia and Asia, from the following sectors: academic, government and civil society.

Once with its inclusion in international databases, the interest to publish in *Strategic Impact* increased, the journal benefiting from the constant contribution of foreign authors. We mention, in this respect, that *Strategic Impact* is part of the Central-Eastern Forum on military Education (CEFME), which translates in a closer editorial cooperation with representatives from the military academia of the member states' (Slovak Republic, Serbia, Poland, Czech Republic, Hungary, Austria, Croatia and the Baltic States). Likewise, CDSSS and implicitly the journal have a very good collaboration with academia members or with representatives of the ministries of defence in the Republic of Moldova, Bulgaria, Turkey, Hellenic Republic, U.S.A., Italy, Belgium, France and so on, as well as representatives of the UN, NATO and the EU.

In order to fulfil the objective of visibility, the printed edition of the journal is distributed free of charge in the main institutions involved in security and defence, as well as in the scientific and academic environment in the country and abroad – in Europe, Asia, America.

We would like to mention here the constant effort of reviewers who perform the scientific evaluation of the articles, as well as that of the editors, those "shadow soldiers" who, with patience and tenacity, dedicate their skills to prepare for print materials which, sometimes, give away doctrinal, pedagogic or journalistic style or an oral character. Of course, the editors have changed in the thirteen years, but the spirit of rigor and accountability was forwarded conscientiously. The editorial staff was preponderantly made up of people with very good training in Military Sciences and in philology as well, some of them with substantial experience in journalism. Regarding the editorial board, over the years, its composition was enriched with eminent members of the national and international military academia. The same happened in the case of scientific reviewers – in addition to the permanent members, which include CDSSS researchers, the editorial office benefited from the collaboration and expertise of our university teaching staff in specialized areas of Military Sciences.

Coming back to the themes approached in this 50th edition of the journal, we signal to our readers, in the rubric *Geopolitics and Geostrategies: Tendencias and Perspectives*, a material proposing a new approach to analyzing the current global system, an article exploring the very topical theme of the contemporary economic warfare and another one trying to respond to the question whether the Arab Spring can present a real threat to Europe. Reading forward, under the aegis *NATO and EU: Policies, Strategies, Actions*, we have included a material approaching terrorism as a current threat to European security and another one analyzing the sources of EU institutions' originality. Furthermore, under the heading *Security and Military Strategy*, you can read about the autopoietic modelling of the National Security Strategy and about correlations between crisis interdepartmental operation's characteristics and different angles of demilitarized structures' informational sub-system. The *Book*



STRATEGIC IMPACT

Review of this edition brings forward to our readers' attention the volume *Under the burden of 90,000 tons of diplomacy? U.S.A., its hegemonic strategy and the relative power decline*, signed by Simona R. Soare, researcher within the Institute for Political Defence Studies and Military History. As usually, the CDSSS Agenda presents the most recent publications of its researchers, as well as the scientific activities we have organised in the first quarter of this year or which we are preparing for this year.

In the end, with the occasion of this jubilee edition, we would like to express our gratitude towards those who have contributed over the years to enhancing the quality and the prestige of the journal. Thanks to them, you, our readers, can find in the pages of the flag publication of CDSSS and NDU, *Strategic Impact*, analyses on topical issues regarding the present and future of national, regional and global security.

*CDSSS team*¹

¹Translation from Romanian by Daniela Rapan.



A NEW APPROACH TO ANALYZING THE CURRENT GLOBAL SYSTEM

*Răzvan BUZATU, PhD**

It is always a challenge to see the world as it is or through someone else's eyes or through everybody's eyes or through the lenses of the system that we created in the past several millennia. The present paper endeavors to provide the necessary instruments to use a multi-lens approach to analyzing how this complex dynamic and adaptive system that we call the world works. Based on this approach, I am analyzing the status of development and evolution of the core of this system, which, for now, it is still the nation-state. I am also using the fact that we created this global system within the eco-system and that, in this moment, if we want to see what are our problems, but also our solutions, we should look at the world as a single organism, but also as distinct parts, because we are still divided between our reductionist approach and an integrated complex approach.

Keywords: *global relations, nation-states, federations, complexity, multinational corporations, international law, cooperative intelligence, knowledge-based society, natural law.*

Introductory considerations

The way the world works can be analyzed from a multitude of perspectives. There are so

many distinct models developed in the past four millennia about how the world works, on all levels – individually or combined –, that it could prove discouraging for one to even think of venturing in depth within this complex dynamic and adaptive system that we call Our World. If one goes deeper and deeper inside the system's core organic structure¹, having the necessary and indispensable enthusiasm, one will find that it can be observed, understood and analyzed as a whole as one organism. Will such an analysis provide us with the global, continental, regional, national-federal solutions to the problems that humanity is facing currently or should we further on enhance and use our reductionist, mechanic and rigid approach to responding to our challenges?

It is expected that one should make reference

¹ Organic structure and organic organization are an approach of a scientific observation made by Tom Burns and George M. Stalker and completed with a work published in 1961. Organic organization is a very flexible type of organization that has the ability to adapt in real time changes/ structural changes in the system. It is based on comprehensive understanding of the problem, very few levels of management, decentralized decision-making and direct and indirect shared supervision. This approach can be used both in the public and in the private and associative sector. In addition, it shows the intrinsic link between the internal environment of the analyzed organization and the external one with which the organization interacts up to ecosystem level.

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to all the people who passed through this experience and/or only theorized about it. For millennia, this endeavor has been a challenge for all the forbearers of this responsibility. All of them described the world in their own views, based on the information at grasp available in their time. All of them said, thought and wrote that it was the right way of understanding and explaining the world. All of them were right, as well as all of them were wrong. As I will be, after I finish writing this paper. Because, after I will have finished putting my thoughts on this paper, the reality will have already changed and I will find myself yet again in the next point, engraved in another reality. The world is renewing itself every minute and every moment. So, my approach is going to be more in terms of finding a way of observing the movement of the world in real time and analyzing and responding to it in real time. I will also refer to the building blocks at the roots of our civilization and relate and explain what I perceived, observed, experienced and learned in the past 15 years spent in the global arena². In the first eight years of research, experimentation and experiences, this endeavor lead me into a dead end, until I realized that developing a model for describing and analyzing the current global system was not going to cut it. After which, looking more closely within the current global system, I saw a pattern which uncovered, not a model, but a different way of observing the world, with a different state of mind, with a different mindset than the traditional and reductionist views we were used to. This system can be explained continuously, in real time. I noticed that, by interacting with various international organizations, nation-states, multinational corporations, non-governmental organizations, mass-media institutions, as well as people, one can reach a level of understanding of the system where decisions can be taken in real time. Yet again, something is still missing. I started studying the construction of a community³. In the

² I have worked with OSCE, Council of Europe, NATO, the European Union, as well as countries from the Arabian Peninsula, Africa, Central Asia, Southern Caucasus and the Western Balkans.

³ Be it communities at tribal, local, national, federal,

first years, I lost myself in the plethora of theories, truths, systems, solutions, cultures, behaviors etc. One thing did not add up. We were building our own communities through violence, even extreme violence in some cases. In the cases where it was not about violence, then it was about control, fear and the necessity to survive. History taught me that people were plotting to kill each other over power, influence, money, creed, ego since the time that we started to become misbalanced with nature, more “civilized” and concerned with how to get ahead of one another. And some of the families, scholars, scientists, theologians, advisors, politicians that came up with different ways of organizing the community, so that it can evolve, not just develop and progress, were tortured, put to death, isolated or exiled. Civilization had a great impact on this, because somewhere on our path to evolution we lost the sense of our values, principles and morals. The ones who got ahead first, became leaders, the rest became led. In order to get back on track, we should first realize that we are out of balance.

A way of better grasping how the world works currently is by analyzing it as objectively as possible. Science is observation. The first thing that can be observed is that since the first, remote, communities have been created by humans these communities were at first in a balanced exchange with nature, and from the decision to venture and explore other neighboring places and communities, to find interesting the different craftworks, defensive and offensive equipment and tactics, tools for sustaining their way of life, customs, merchandise etc., to trade with these communities, we arrived in the end to want to possess what the others have and, under the pretexts of unification, to conquer them in order to control them.

In the past four millennia, we have built our communities based on how to enhance and deepen our control through various instruments, doubling them with our principles, values and ethics, which were and still are our human nature, our animal instincts and our survival and conservation instincts. When one referred to higher moral principles, values and ethics, automatically, one thought of God. And then,

regional, continental, inter-continental, global levels.



humanity found itself trapped in the arguments in which one God is better than another God, that you should have not killed that man because he was a man of God and the response would come instantaneously: not of my God and so on. And these differences in understanding, approach and beliefs were plenty in the history of mankind. It is very interesting because, if one wants to analyze the current human communities organized under their different forms, then one should look to how much bio-mimetic analogies we adopted from nature, how much influence did astronomic physics mechanisms has on human behavior and how these two elements shaped our beliefs and our present day development and progress. I would look to nature⁴ because it gives us all the instruments for organizing our communities. The different approach in this sense is that we should look to the laws and principles of the Universe in order to see the moral approach we should take. When analyzing a community, one looks to the people comprising that community, to their behaviors, customs, creeds and see that all of them are in their own point of personal, professional and spiritual development and evolution. In this sense, all of them are unique. In this sense, all of them are right in the way that they perceive and live in the communities that they are part of. Their behavior is shaped by their families and by society. In their turn, they also shape their families and society. Therefore, when one brings this *qui pro quo* equation into play, doubled with human nature, the animal instincts and the survival and conservation instincts, then, it is much clearer how the structure of society and its institutions⁵ have developed through time.

Description of the levels of global analysis

Thus far, based on these observations, human beings built the civilized society structured in many parts and on several levels, its own

4 Let us not forget that Natural Law provided us with the first rules for analyzing rationally the human nature and its impact on society. Thus, Natural Law became proponent for the moral behavior of humans on earth. Being determined by Nature, Natural Law was seen as Universal in its nature, providing the necessary steps for evolution.

5 Public, private and associative institutions (NGOs).

system within the eco-system and unbalancing human life with the life of the whole planet. This system has been developing and progressing continuously until it has reached a certain form. There are several levels of analyzing the global world and global relations at this moment (see Figure no. 1).

The first level of global analysis is that of international funds. The international funds are formed from various elements (very rich people, very rich and wealthy countries – sovereign funds, funds coming from multinational/transnational corporations, international financial institutions – private and or public) that amass a sum of money and then find directions of investing and profiting on very short to short term periods. These institutions have their own rules and regulations⁶ that are not abiding as a whole by international law as it is at this moment. Of course, there is a global financial regulatory architecture that shows each element of the system in place, but it is not a common global approach to it yet. At this level, one can observe different investment funds that find and attract their own clients based on the development and progress levels of each community around the world. It is a very fluid and adaptive level.

The second level of global analysis is based on the activities of the multinational/transnational corporations, which, in their turn, elaborate their own internal rules and regulations and find the most suitable place⁷ where they can deploy their investments. If that place becomes somewhat unproductive do to various motives⁸, they move their facilities to the next place that can provide a profitable environment for them. There is no corporate international law that can regulate their activities. Even if a lot of these corporations

6 One example of such rules and regulations are The Santiago Principles for best practices for investment and stability of the global financial system, devised jointly by the International Working Group of Sovereign Wealth Funds and the International Monetary Fund in 2008.

7 Countries (nation-states) that can support the corporations' production facilities with cheap labor force, fiscal incentives and stable as well as unstable political systems – depending on the strategy of each corporation.

8 Motives: positive or extremely negative political, economic, social and cultural events.

started 10 years ago to develop their corporate social responsibility departments and strategies towards the labor force that they use within their operating facilities in various states, if they decide that it is counter-productive, they will move and invest in another areas, thus, cutting their costs short and maximizing their profitability. It is fluid and adaptive according to the level of stability/instability of a state.

At these two levels, the international law is so dim, that it provides the necessary focus only on profitability. It is what Milton Friedman called “predatory globalization”: find the vulnerability of a system, invest in that vulnerability, profit on very short to short term and move on to the next place.

The third level of global analysis is that of international organizations. Most of the international organizations that we find in the world today have been created before 1989. Instead of proposing new structures for a new world architecture and order, we tried to reform and harmonize most of them. Because of this and because they are dependent on the health and development of the member states, they became unresponsive to our challenges at national, continental, regional and global levels. Most of them are inter-governmental and their decision making and decision-taking mechanisms are either voting by unanimity⁹ or deciding by consensus¹⁰.

All international organizations depend of the budget quota participation from their member states. If there is a financial pressure on the national/federal budgets of the member states, then the financial participation will have a negative impact on the international organization and on implementing its objectives. There are several important exceptions of international organizations, but two are more close to Europeans. One such exception is the European

9 There are cases where voting by unanimity can have an exception rule as constructive abstention (the European Union), thus giving the possibility to a state to place itself outside of a voting procedure if that decision would impair on its national/federal interest.

10 There are cases when an international organization uses consensus minus 1 or minus 2 (OSCE), depending on the nature of the conflict situation within a nation-state.

Union, which at this moment is a hybrid organization, a European Federation of Nation-States, part governmental and part community. Because of this status, it has a profound inability to adapt and respond to its own structural and institutional structure challenges and a difficulty in participating politically as a single body with one voice to the resolution of the global challenges. Even so, it is still a model of creating other integrated community structures on the African and Asian continents. As soon as it becomes fully integrated on the European continent under the federal form of the United States of Europe, it will become part of the so debated and controversial free economic space between the United States of America, Europe and Eurasia¹¹. In this way, the idea of creating the Trans-Atlantic and Trans-Pacific con-federal bodies would and could become a reality.

The other exception is NATO. This Alliance, at this moment, is one of the most effective and efficient alliances in the world. The military representatives of the member states discuss current issues twice or thrice per week, thus making them very well acquainted with the problems at hand, thus making the consensus more rapid and implementing the decision in a timely manner for the situation to be dealt with.

The fourth level of global analysis is that of the international nongovernmental organizations. These organizations have been created because:

i. of critical situations¹² that occurred around the world and the funds in support came from

11 The political project elaborated by the Russian Federation for creating a free economic space between the United States of America, the European Union (in whichever form it will find itself) and the Eurasian region. In 2007, the Minister for Foreign Affairs of the Russian Federation, Serghey Lavrov, stated that such a free economic space is feasible and that they are planning to institutionalize it. In order to protect such a construct, the Russian put forward in 2009 a Treaty on European Security to be discussed with its partners. This Treaty was seen by the President of the Russian Federation, Dimitri Medvedev, as a solution to the European Security Strategy elaborated by the European Union in 2003, which did not work.

12 Oil spills, environmental degradation – Greenpeace; severe human rights abuses – Amnesty International; private sector and public sector political corruption in international development – Transparency International.



different combined transparent sources of financing¹³;

ii. one or more multinational/transnational corporation had interests in promoting their visions, missions and values;

iii. one or more nation-states wanted to promote their own combined interests at a different level than that of international organizations;

iv. of political leverages in rich and strategic regions¹⁴;

v. of various humanitarian needs in conflict infested regions¹⁵. This level is very important because it responds to various needs of the people on ground, which it is not necessarily in the best interest of the other players mentioned above at the other levels of analysis.

The fifth level of global analysis is that of the nation-states and federal states. Since the pressure on the states within the continents, and especially on the European continent, is to integrate, doubled with need to face the global challenges and find solutions, the states need to evolve to another form of governance. In this sense, solutions can be found at continental levels, as well as at national-local levels. The problems that we are facing currently is that most of the emerging actors with global vocation (USA, Russia, China, India, Brazil, South Africa) have federal structure, they speak with one voice and they react very quickly, even if not efficiently, to what the world is throwing at them. The European Union is not yet among these states and, because

13 From the states that saw the problems as a threat to their development, from multinational/transnational corporations that want to show that their way of doing business was clean, transparent taking into consideration human values, from different rich individuals around the world, from international funds.

14 Eurasian region: Eurasian Foundation of Central Asia, Eurasia Partnership Foundation and New Eurasia Foundation, all supported by the West and the East at the same time, with their motto: engaging citizens, empowering communities; the Aga Khan Foundation that works a lot in Afghanistan, as well as other.

15 These are foundations that employ various humanitarian convoys with supplies donated by people, companies, governments and international organizations around the world. Organizing such convoys is supported by small, medium and large nongovernmental organizations with the support of the United Nations Organization.

of that, it creates turbulence, which is being seen by all the other actors. Because of this weakness, the other actors want to have a significant part in the development of this young actor, each of them thus creating its place within its system (being at the economic level – China¹⁶, being at energy level – the Russian Federation, being at the new technologies level – India). This level is also very important because it provides all the necessary information coming from the local levels so that it can be used in conjunction with the information coming from the continental and global levels. The states are under constant pressure from the fact that the world has become so fluid and flexible and it can be seen from the way in which they reacted to the sudden moves of the global environmental changes and to the global changes of the global financial system.

The sixth level of global analysis is that national non-governmental organizations, that are in fact a miniature mirror of the international nongovernmental organizations. At this level, the national NGOs are completely under the influence of the actors that are present at the state level. In this sense, one can find national NGOs which are:

i. established by the multinational/transnational corporations present on ground within a state;

ii. established by local funds coming from different public and international funds;

iii. established by local politicians or parties;

iv. established with the support of international NGOs;

v. established by various civilian groups that see a problem in their communities and they struggle to find solutions to it, without having

16 At the economic level, putting aside the food and agriculture industry, the defense industry, the health and pharmacy industry, 80%-90% of all the other products under brands from the member states of the European Union are produced in China (RAPEX instrument of the European Commission provides weekly reports in this sense). Furthermore, in 2004, in Bangalore, India, China and India signed several trade agreements, one of them being to win the global Internet technology and Communication market in 15 years time. This means 2019. China to produce hardware and India to produce software.

the proper financial support from anybody. The information provided at this level is very important because it gives a clear image of the involvement and integration of the civil society in the development of the community.

The seventh and last level of global analysis is the one that comprises the citizens of a state. Unfortunately, they are at the bottom of the system, because, taking into consideration what I stated in the beginning of this paper, building on the basis of human nature and animal instinct, one can only create a community where the strong overtakes the weak, where some are at the bottom of the food chain and others on top of it, where there are dominators and dominated and so on, as we have it at this moment. The

equilibrium is always fragile. We broke it once and here we are. Everybody controls everybody through various instruments and mechanism so that one can be sure that the other is complying and not getting out of order. Each individual and the people themselves from each community have empowered the system created by them to take control over their lives and keep them in line if they have reactions based on their nature. If people become conscientious that they did this, deep down, they should be aware that they can propose the next phase in the evolution of humanity. Having said this and after putting forth these levels of global analysis, the system developed on itself creating a global banking system which is present deeper and deeper in all

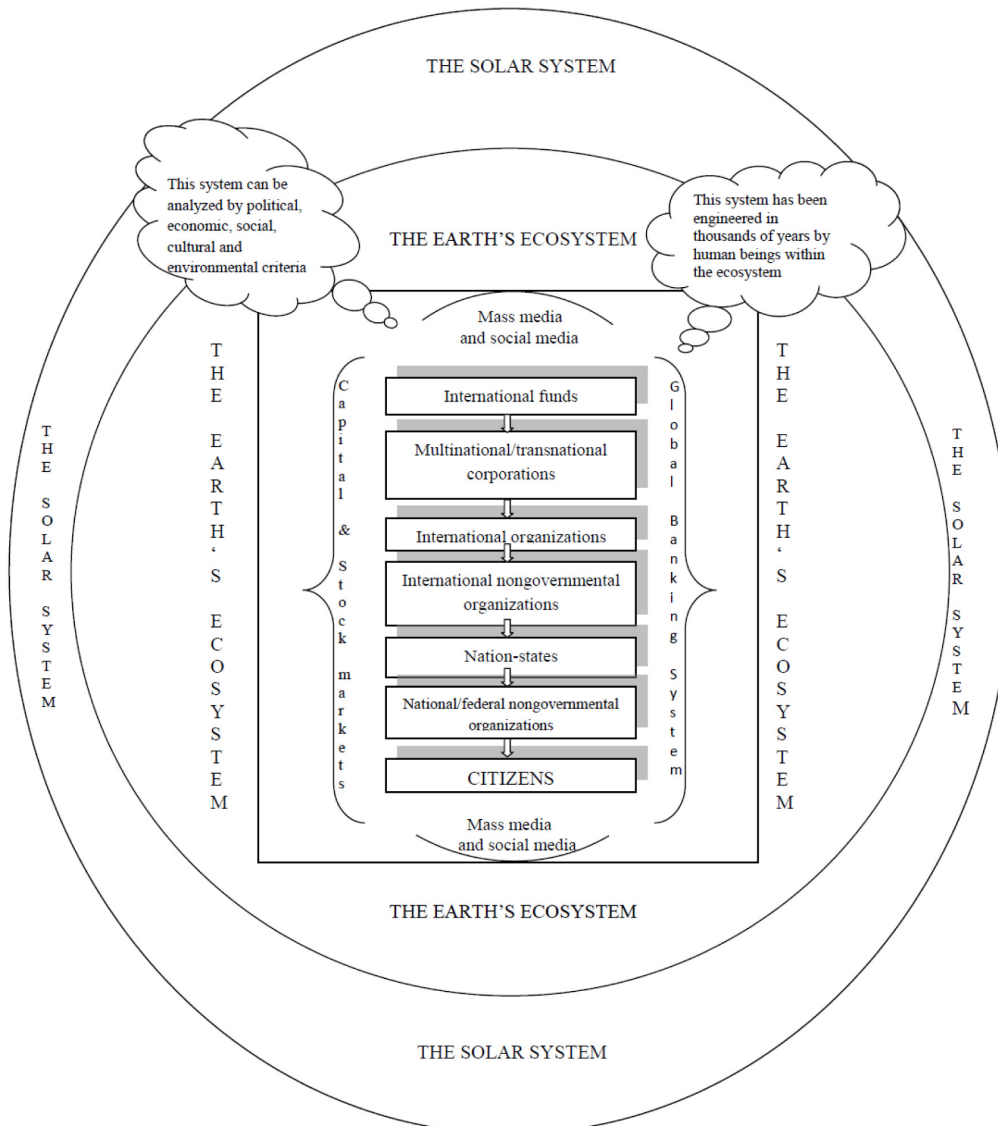


Figure no. 1: A diagram of the world



countries in the world today. This system is part of the international financial system that supports the capital markets and the stock markets which make our global system fluid. It also makes it stable or unstable to the brink of collapsing. The world encountered such tremors and earthquakes several times in its recent human history. Taking this system into consideration, the information that it produces and uses, its impact on the human life, its implications on all the seven levels of analysis, there have been created the mass media and social media institutions and networks. The world, in general, and human kind, in particular, needed an information system that could make everything known to everybody. These systems are either public or private. These institutions are the eyes and ears to the world. Mass media and social media takes all information and transmits it through its channels from global to local levels showing the people the degree of its development and evolution. We have all the ingredients in place now in order to make an analysis of the global world/global relation/international relations, which at its basis still has the nation-state.

The development, progress and, in the end, evolution of these communities are being analyzed also through the political, economic, social, cultural and environmental criteria, that comprise and transfer to us all the necessary information for us to establish the health of a nation and of a state. This is being done trans-disciplinary, multi-disciplinary and pluri-disciplinary, from top-down and from down-up, from inside-out and from outside-in, on all levels at the same time and in parallel, everything seen as integrated and part of a single bio-eco-organism that sustains all life on the Planet and gives human beings and human civilization the way to evolution.

Conclusion

In the past 15 years, the world has become more interconnected, intertwined to the point that almost everything someone (individual, international/global institution, nation state) does is shortly or even instantly transmitted for the attention of the other/s. Everyone is informed

about everything. The one thing that one should constantly learn is to reinvent him/her self based on how they influence their own living environment and learn how to discern in this ocean of information that transforms everything on the spot by making it possible to become potential for one in case the other is unwilling or does not know how to put it into practice. When a butterfly flutters its wings in one part of the world, it can eventually cause a hurricane in another, said Edward Lorenz in his book “The essence of Chaos”, making the analysis of the world today about everything and anyone. So, the approach that I am using currently and that I am putting forward for consideration, takes into account the most basic elements of human society, starting from the individuals, with their own behavior and beliefs systems and their interaction, influence and impact with one another through the different institutions created by them throughout history, i.e. the family, the public, private and associative institutions, through which individuals adapt and change their behavior in order to achieve, at first, a common *modus vivendi* with his fellow kin. In this way of looking at communities, one can observe and then analyze that the core elements of this construct, the nation-states, are interacting between them through a web of interests that need to be very thoroughly understood, promoted and negotiated. In order to do this, all of the nation-states refer to control instruments, mechanism and methods so that they can protect the interests and impose it on the other based on basic Maslowian needs and Pavlovian rewards/public awards/private incentives/global acknowledgment etc. The progress of a nation-state in this regard depends on the given natural resources, doubled with their societal and state development, which gives them the possibility and ability to overtake the other with whom they have been in direct or indirect competition and propose new schemes of development at regional and even global levels, in the name of the people that elected them and/or appointed them.

In analyzing the world, one needs to be very clear of the degree of health of the nation-state. By health, and even if this way of seeing things

has become only declarative and obsolete in most of the nation-states around the world today, I mean to what extent the people/citizens are fairly and balanced represented at the state/government levels and if that representation supports and facilitates the creation of stability and prosperity with them and for them¹⁷. Determining the health of a nation-state in its entirety makes it possible to go to the next level, that is, providing solutions for improvement, development and even evolution. This can be achieved through a mindset that transforms competitive thinking into cooperative thinking at community level and civil society level and thus, as John Dewey, Jared Diamond, and Thomas Homer-Dixon put it, establishing a cooperative intelligence network. This network comes from the civil society and make the information relevant to the community that has it, so that it can develop, when needed, by itself, without the support of the state institutions, if the state institutions are in a process of adaptation due to the fact that they cannot anymore respond effectively, efficiently and in a timely manner to the needs of their citizens¹⁸.

17 The citizens are at the core of the state. Without the citizens, the state cannot exist. The citizens interact with one another individually or through institutions (public, private and/or civil society). The state is made of public institutions, private institutions (private companies), as well as civil society institutions (nongovernmental organizations). Each institution interacts with the other and wants to have more power and influence in the state in order to gain benefits and influence (political, economical-financial, social, cultural). Each institution (public, private and civil society) must be accountable by law and to the people (through public institutions). Therefore, each institution (public, private and civil society) must control the activities and spending of the other in order to have equilibrium and do not have abuse of power. That is why the separation of power in the State and the system of control or oversight of the activities and spending has been created.

18 Mario Draghi, the President-Governor of the European Central Bank declared the end the social model as we know it in an interview given to the Wall Street Journal on 24 February 2012 (<http://online.wsj.com/news/articles/SB100014247?KEYWORDS=draghi&mg=reno64-wsj&url=http%3A%2F%2Fonline.wsj.com%2Farticle%2F%2FSB10001.html%3Ddraghi>) and the Dutch King Willem Alexander, declared that the welfare state is dead, and that the participatory society is the next step in developing communities at local and national levels in the annual address on the 18th of September 2013.

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CONTEMPORARY ECONOMIC WARFARE. COMPETITION FOR RAW MATERIALS

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In the field of macro processes globalization, together with regionalization and the rise of emerging economies, led by China, are dominant. Both globalization and regionalization involve profound political, economic, organizational, institutional, military and cultural changes, but they also mean the decrease of raw materials and the degradation of soil and subsoil. We believe that concerns on such phenomena and processes are legitimate, but, to some extent, exaggerated. Basic raw materials – coal, iron, hydrocarbons – are relatively abundant. At the same time, technical, scientific and technological advances cannot be ignored as potential future solutions for shortage of raw materials. In the contemporary economic warfare, however, competition for raw materials is expanding.

In addition, a broader approach reveals correlations between the economic, the technological and the military power. All owners of transnational corporations are military powers of rank 1 and 2. All advanced economies have developed their own military-industrial complex. It can be said that economic wars are somewhere substitutes of military wars. Unlike in the past, international economic relations are conducted

in a regional and global context, largely governed by: the UN Charter, international treaties and conventions (including WTO), agreements and partnerships, etc. It is important to emphasize that states have reduced their importance as independent actors, competing with multinationals and regional organizations. In reality, only great powers have the means to address the major “economic games”.

Keywords: *economic warfare, transnational corporations, multinationals, raw materials, energy resources.*

1. Economic warfare - theoretical approaches

It is known that economic warfare is a concept developed in the era of Mercantilism (16th-17th centuries) and rediscovered by today's neo-mercantilists. Theoretical debates were amplified after the '60s and especially after the Cold War. It is argued that blockade, boycott, contingency are “weapons” used in economic warfare aimed to conquer the markets, ensure superiority in competitiveness, and create jobs.

The American E. Luttwak, who developed the

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concepts *geo-economy* and *struggling economy*¹, believes that the economic warfare replaces the military war in the context of globalization. J. Geran Pilon said that “by way of definition, one can distinguish two kinds of economic warfare – differing in degree though not necessarily in intention: 1. in a narrower sense, the concept may refer to the practice of international economic measures that enhance a country’s relative strength; and 2. more generally, it may refer to all the foreign economic policies that may have as their long-run objective the enlargement of a country’s sphere of economic influence (and possibly a consequent contraction of that of a political adversary). Neither of these practices is alien to ordinary economic life insofar as every country always seeks its own advantage; the difference, however, is that *economic warfare presupposes a certain degree of antagonism. It involves policies whose intent is hostile at least in part, designed specifically to strengthen a country politically as a result or in the expectation of conflict.* Filled as the pages of history may be with instances of bloody rivalry between territorial groups variously defined, economic warfare is nevertheless the exception rather than the rule: ordinarily, in international as in interpersonal activity men are, if not friendly, at least not ill disposed toward one another. Even the less altruistic, those not inclined to supererogation, do not usually set out deliberately to cause harm to others or seek to make the needy even needier. Yet this is just what appears to take place in economic warfare: the pursuit not only of goods but of relative power, symptomatic of discord”².

The economic warfare encompasses both economic conflicts between states and political-military actions with economic objectives. Sometimes the exacerbated competition between companies (sustained by states or groups of states) is considered an economic warfare³. In the

20th-21st centuries, economic warfare is about the conflict between states for raw materials, scarce resources, markets, etc.⁴

At the dawn of the modern era, economic warfare was conducted by England (the East India Company), the Netherlands (the Dutch East India Company), France (the French East India Company), Portugal and Spain. The national economies received “war missions”. N. Machiavelli emphasized the fact that without economy, states have no power, and mercantilists have theorized the relationship between state’s power, economy and war. In the 18th Century, J. B. Colberg said that all companies are the “King’s weapons of war” and manufactures play the role of reserves. The military expansion was correlated with the economic warfare, considering the fact that there must be annexed as many territories rich in natural and human resources as possible. In the 17th Century England, O. Cromwell laid the foundation of building naval and colonial powers (through the *Navigation Act*). In the 19th Century “cotton war” between the U.S. and England, the first priority was “stealing” British technology.

Ch. de Montesquieu and D. Hume argued the idea that unlimited growth of trade between countries serves the causes of peace and population’s enrichment. D. Hume proved that the surplus trade balance often cause inflation and leads to a decrease in the competitiveness of companies and states.

The specific economic warfare “operations” was gradually defined as: blockade, embargo, boycott, contingency, naval and ground raids, “race war”, etc. Thus, in the 20th Century, economic warfare often resorted to economic espionage, war of prices, trade blockades, protectionism, and control of natural resources⁵. Also, the control of capital export, protectionist practices, and currency manipulation were extended. After

1 Edward N. LUTTWAK, *Le rêve américain en danger*, Paris, Editeur: Odile Jacob, 1995.

2 Juliana GERAN PILON, “Economic Warfare in Defense of Liberty”, in *Reason Papers*, No. 10, Reason Foundation, Spring 1985, pp. 34-35.

3 See „Guerre économique: débat, réalité et perspectives”, in *Géoéconomie*, No. 45, Institut Choiseul, Paris, Printemps 2008, pp. 23-128.

4 To tackle this problem in details, see Daniel ȘTEFAN, Roxana DUMITRACHE, Cristian BĂHNĂREANU, *Antreprenoriat, competiție și război economic* (Entrepreneurship, competition and economic war), Bucharest, “Dimitrie Cantemir” Christian University Publishing House, 2014.

5 Éric BOSSERELLE, “La guerre économique, forme moderne de la guerre?”, in *Revue Française de Socio-Économie*, No. 2 (8), Paris, La Découverte, 2011, pp. 167-186.

1945, the policy of states was more evident in the service of economy. Economic and technological espionage came first. This explains why J. Maynard Keynes and other famous economists were supporters of free “international trade”. But they cannot deny the fact that strong companies (states) resort to: attracting highly skilled labor from outside; intense lobbying campaigns; promoting certain norms and standards (IAS/IFRS); social and cultural influences; imitations (counterfeit); war of information, etc.

While human history is dominated by relations based on economic power in various stages of its development – the struggle for survival, colonization and slavery, territorial and trade conquest, economic competition, geoeconomic and competitive clashes – currently there is no direct literature devoted to economic warfare. This gap is explained by the absence of the concept legitimacy due to the existing trend and will – both aimed to disguise the objective of economic confrontations. The most visible and undeniable expressions of economic warfare, as conflictual phases of colonization or the two Opium Wars of the 19th Century, did not generate a “recognition grid”, being necessary to cover this reflection deficit on a reality that becomes every day more evident.

2. Instruments of economic warfare

2.1. The old structures of economic warfare

The First World War caused the creation of distinct economic warfare structures, aimed at reducing the enemy’s material resources, affecting population morale, blocking financial flows and commercial operations, etc. In 1914, France has set up a *Control Section* at the Ministry of War in order to collect economic information. In Great Britain, there was established a *War Trade Intelligence Department* at the Foreign Office. Neutral states were compelled to limit their exports to the Central Powers. Air Force bombed industrial sites in France and Germany. Among Allies, France tried to economically harm “Germany after 1918”. USA, in turn, was endeavoring to reduce the expansion of German exports.

After the 1918, economic warfare structures were abolished. But, in 1939, Great Britain had a Ministry of Economic Warfare, where was active the *Special Operations Executive* (designed for sabotage). Such institutions were strengthened in the West and in Germany during 1940-1945. They have been enhanced in the Second World War period and beyond.

It is known that in the Cold War (1947-1990), the major Western powers – the USA and the EU – have imposed sanctions to all countries that did not respected the rules of democratic political regimes, especially human rights. In USA, the 1974 Jackson-Vanik amendment introduced link between the granting of the most favored nation clause and the respect on human rights. It was the first association of non-economic clauses in world trade aimed to generate major political changes in the socialist countries. Such measures have caused adverse effects in the countries concerned, including lower living standards (as in the USSR, Poland, and Romania). “Political weapon” of human rights, combined with an exhausting “arms race” and other tactics of economic warfare, ultimately led to the collapse of the East and the relative collapse of the USSR in 1990-1991. It was a direct and indirect war between nuclear superpowers and “economic weapon” proved to be decisive given that nuclear weapons could not be used.

However, the paradigm of economic warfare has changed since 1945, when the USA became the world’s hegemonic power. The decolonization processes accelerated. Hegemonic power has sought to impose its values and regulation practices around the world, refusing to directly administer foreign territories. But Washington must face today the consequences of the collapse of the communist block and the rise of emerging powers. “This redefinition of strong relationships re-launched the problem of economic warfare from a new paradigm: the ally/adversary relationship replaced direct or indirect conflict between two enemies. Economic warfare practiced since ancient times had demonstrated direct conflict: the power that gained territories was directly opposed to the country that tried to resist this conquest. The centuries of colonization

were its clearest example. The globalization of exchanges modified the unsettled economic framework both in industrialized countries and in emerging economies. Competition went hand in hand with *co-opetition* (cooperation + competition). Strategic interests of the powers were diversified and became more complex. Military or geopolitical interest could clash with an economic interest or vice versa”⁶.

In reply, Americans formalized their own *economic security policy* (Trade Act, 1974; Omnibus Trade and Competitiveness Act, 1988). Carla Hills, former Minister for urban development and important trade negotiator between 1980-1993, said: “We will open foreign markets with a crowbar where necessary, but with a handshake whenever possible”⁷. In the case of gas pipeline between Burma and Thailand, for example, the USA underline: “Total took Conoco’s place [in Iran] and secured a contract which would have been very profitable for Conoco. We want to punish companies which take this sort of attitude in the future”⁸. The Torricelli, Helms-Burton, D’Amato laws (2001) were added in order to block the access of hostile countries to the USA and such to prevent competitors of American enterprises to gain markets in these areas.

In 1993, the National Economic Council was established and associated with the National Security Council. US Secretary of State, Warren Christopher, stated the importance of this initiative: “American economic security should be raised to the rank of first foreign policy priority”. In 1994 was established the *Advocacy Center* under the Department of Commerce with the mission of informing the American companies on developments in the global economy. In Washington and other capitals of the great powers was opened a large “commercial diplomacy” with free trade agreements, establishment of

6 Ministry of Defence, *Economic intelligence in a global world*, Strategic Dossier 162 B, Spanish Institute for Strategic Studies, February 2014, p. 86.

7 Yvon JACOB, Serge GUILLON, *En finir avec la mondialisation déloyale!*, Ministère de l’économie, des finances et de l’industrie, Paris, Janvier 2012, p. 131.

8 Claude REVEL, Isabelle PEDRON LIOU, *La diplomatie exportatrice des Etats-Unis*, Observatoire du Marché International de la Construction, Paris, 1997.

multinational, directed capital flows, preferential loans, corruption of political leaders and business groups, etc.

In 1995 there was established the French *Committee for Competitiveness and Economic Security*. The Ministry of Interior is responsible for economic security. Similar bodies have been created in the Russian Federation and China. Currently, the economic relations of partners/competitors prevail. In the future, however, disputes will arise as a result of: contradictions emerging on energy and raw materials markets; problems of economic dependency; new forms of cultural colonization of the information society; possible reversals of alliances.

The Western Europe still separates the military power from the economic one. It reached to the massive deregulation on the West or rejection of the “national champions”. Emerging powers developed integrated banking and economic structures that are supported directly and indirectly by the state, and aim foreign markets to finance their growth. Significantly is the fact that Chinese civilian and military leaders have reinvented the concept of *war without limits*⁹. “The concept of war without limits applied to geo arena is a way to bypass the rhetoric developed by Anglo-Saxon business. It opens up other forms of perceived economic confrontations. In a Franco-American seminar, Pentagon representatives evoked the sensitive case of the Chinese technological plagiarism. Given the magnitude of this phenomenon, the issue was the opportunity to qualify this type of aggression not as an act of industrial espionage, but as an act of war. Such expression relaunches the issue whether to negotiate or formalize the economic war. The U.S. managed to steer the debate in denying economic confrontations between powers. This speech peacekeeping trade within the “world village” is justified by the benefits of globalization from 1945 to the status of superpower”¹⁰.

9 Qiao LIANG, Wang XIANGSUI, *La guerre hors limites*, Paris, Payot et Rivages, 2003.

10 Christian HARBULOT, *L’étude de la guerre économique et des problématiques associées*, Documento de Opinión, Instituto Español de Estudios Estratégicos, 27 junio de 2013, p. 29 (authors’ translation).

It is believed that the West has dominated the world through colonial empires and the American hyper power. However, the expansion of emerging economies has opened a gap expressed by globalization, industrialization and the weakening of some Western economies. The West still cannot detach by the doctrine of free trade. In the USA, business environment insist to benefit from short term advantages of globalization. Simultaneously, the EU is not able to adapt to the realities of economic warfare.

In France, General De Gaulle took in the '50s and '60s the initiative to develop a petroleum consortium and to set rates for multinational corporations and opened a debate about the dominant role of the dollar. The creation of EU Common Market has favored the French "economic nationalism". In 1976, V-G. d'Estaing harshly attacked this doctrine, abolishing the *Standing Committee for Electronics*. But Prime Minister de Villepin has revived talks on "economic patriotism" in 2000.

Meanwhile, the USA took action against dumping, patent theft, counterfeiting, illicit raw materials, etc. In 1984, EU has created an instrument of trade retaliation, but rarely used it. Also, in 2006, the EU has drawn attention to France that it practices protectionism in the takeover of vital companies. The Netherlands, UK and Germany did not accept the idea of establishing a list of some strategic industries that must be protected. In 2008, the Russian Federation has determined that 295 enterprises are strategic, as well as a further 1,500 companies.

Overall, the EU seems to continue to lack economic defense tools. "Contrary to appearances, it is more divided than ever. Northern Europe is dominated by Germany, which is a double play by favoring the rebirth of its discrete, while a picture of a deeply pacifist country, traumatized by his military errors of the past. The South tries to overcome the crises in infrastructure. European former socialist countries are looking for a way under the influence of the strategies employed by the American, German and Russian. To overcome this strategic impasse, there must be urgently found new grids of economic analysis in which

economic warfare should be included. It makes sense to design a new political economy based on meaningful articulation between *building state power; dominion of conquered markets and development of territories*"¹¹.

2.2. Transnational and multinationals corporations

In recent years, transnational and multinationals corporations – the "elite" of world economy – seem to have taken the place of old state structures of economic warfare. Usually led by the national centers of the great powers, they have become critical actors in the social and economic, scientific and cultural evolution of the world, with major contributions in structuring and managing the economies. Believing to a point in globalization, multinational corporations which act as "engines of growth and development" directly and indirectly influence the economic policies of states and competition or cooperation between them. About 35,000 transnational companies operated in 1997, with 150,000 branches, covering 30% of world production and trade. Over 25% of world trade is carried within multinational corporations.

The internationalization of companies may be caused by: the lack of natural resources at home which causes the company to expand overseas; the existence of local partners able to exploit resources together through *joint ventures*; the need for larger markets, in terms of number of consumers or purchasing power; the need for efficiency (cost reduction) in the production, labor, materials, the machinery; the accelerated depreciation or subsidies; the presence of other paired companies in the chain of production and distribution; the need for integrating research and development; the seek for strategic assets (access to technology or the possibility of developing new technologies).

"Horizontal" companies produce relatively globally standardized goods. Searching efficiency is common for "vertical" companies¹². Also,

¹¹ *Ibidem*, p. 34.

¹² James R. MARCUSEN, "Factor movements and commodity trade as complements", in *Journal of International Economics*, Volume 14, Issues 3-4, May 1983, pp. 341-356.



there is taken into consideration the portfolio diversification, more precisely to create a balance of country risk as fluctuations in host economies are imperfectly correlated with fluctuations in the economy of origin. Country risk should be combined with industry risk. Global competition contributes to the internationalization of companies through driving effect triggered by a company's locating on a new market, leading to competitors investment in that market. Companies are following their competitors. It is a strategic incentive because it not necessarily searches efficiency, but the presence on a new market for status and reducing the competitors' profit.

Industrial relocation is an international trend that is currently experiencing its second wave. International expansion is increasingly replaced by relocation, which does not require new investment, but investment moved from one country to another. It is a specific phenomenon to industries dominated by oligopolies. Foreign investment tends to be concentrated in industries dominated by oligopolies (automotive industry, food industry, tobacco industry, cements industry, etc.). Sometimes, relocation determinants are narrower than those of the expansion (transnationalizing) and can be considered as acts of social dumping.

A foreign corporation fosters competition in the host country. This reduces prices, differentiates goods, and develops research. Local companies productivity increases directly proportional with their exposure to competition of transnational corporations. The Foreign Direct Investments driving effect acts as a catalyst for the development of local companies' export capacity by opening access to foreign markets.

States from Western Europe, the Gulf, Latin America, as well as China and Russian Federation, still hold important percent of the capital of major regional and global corporations. Powerful states or regional political organizations govern the framework of economic cooperation between USA and EU, EU and Russian Federation, EU and India, EU and China, etc. Wherever is strong, the political level continues to set the operating conditions for domestic and foreign companies

and corporations and to sanction – along with judiciary system – the labor and environmental non-compliance.

In Central and Eastern Europe, small and medium enterprises have integrated generally in Western European companies that have shifted their production to emerging economies through investments or relocation of factories. New EU Member states benefiting from foreign investment are dependent on origin economies of investors. Countries with effective regulatory systems have increased productivity and become more competitive on international level. The simplification of legislation and reducing administrative burden increases the number and size of firms, strengthening several economic sectors and successful operation of the Single Market.

The current number of larger companies, with turnover of over \$ 1 billion could double in the next 12 years. Most of these future global giants will arise from the emerging countries and will be essential actors in the growth of markets. In the view of the McKinsey Institute's experts, currently, about 8,000 large enterprises are reviewed, of which 53% are quoted on the stock market, 37% are not listed, and 10% belong to the public sector. Three quarters of them have headquarters in developed countries. By 2025, to those will add more than 7,000 companies: 70% will come from emerging countries, out of which about 30% from China and neighboring countries (Taiwan, Hong Kong, Macao) and 5% from Africa and Middle East¹³. The headquarters of the 8,000 structures are concentrated today in 850 cities that will face a heavy competition from the new 280 emerging economic metropolis seeking to attract and retain the headquarters of the future new strong companies.

The best performing economies are in the countries where governments have supported entrepreneurship by improving business infrastructure and facilitating access to credit for

13 Richard DOBBS, Jaana REMES, Sven SMIT, James MANYIKA, Jonathan WOETZEL, Yaw AGYENIM-BOATENG, *Urban world: The shifting global business landscape*, McKinsey Global Institute, October 2013, pp. 2-3.

investment. “Overall, European regulations with direct or indirect impact on business are more burdensome than those imposed in the USA or Japan, but there are many differences between Member States. The Northern and Western European countries have a better regulatory framework than those from Southern and Eastern Europe. Sweden, Finland and Norway are better than the rest of Europe in terms of the balance between quantity and quality of business regulations and are in line with the most advanced countries in the world due to the efficiency of administrative systems.

The *social economy model* represents the basis of regulatory systems in Europe and differentiates the Europe’s economic policy from the USA one, for example. It promotes profit-oriented economic activity, along with social and environmental responsibility. Being identified and promoted in the early 2000s, the European social model has become the official project of the EU, reiterated in the Lisbon Agenda as a solution for the development and employment growth in Europe. Strategic objectives regarding the European economy development, in order to become the most competitive knowledge-based economy, have been taken in the EU 2020 - Strategy for Smart, Sustainable and Inclusive Growth¹⁴.

3. The issue of raw materials in the economic warfare

The emergence of new economic powers – China, India and Brazil – significantly raises the prices of raw materials (industrial, oil, uranium, vegetal products). Economic development of these countries is accompanied by high energy consumption and increasingly demand of important building materials. Increasing food needs, already raised by demographic expansion, is accentuated by the evolution of consumption and diet patterns of the populations from these

14 Peter BARTA, Nina SPIREA, Ileana MODREANU, Marius PITI, *Promovarea antreprenoriatului ca factor cheie pentru dezvoltarea economică* (Promoting entrepreneurship as a key factor for economic development), October 2012, Post-Privatization Foundation, p. 9.

emerging countries.

Production continued to increase, for example, through the development of new agricultural land and the discovery and exploitation of new hydrocarbon deposits, which means that we are approaching the natural limits. Moreover, the concept of *peak oil production* perfectly illustrates this situation, even if the peak does not cease to move in time. In terms of agricultural production, exploitable land parcels are becoming less numerous all over the world. The almost inevitable decrease of the feedstock provided will trigger an adjustment by increasing the prices. Unless these emerging countries shall undergo an economic failure, it seems that the upward trend of the raw materials’ prices will not reverse.

3.1. OPEC and powerful energy companies

Although less urgent and less broadcasted, the issue of energy and mining resources’ price is still a primary challenge. A significant increase of prices for those products would be an obstacle to the emergence of new economic powers and hinder the development of the less advanced countries. For developed countries, the challenge is also important because, like the other states, it means ensuring their food and energy independence, but also to change the energy intensive lifestyle¹⁵. The prices of oil are increasing giving the fact that the oil market is global and natural gas one is regional. For agricultural products, the development of urban agriculture (close to consumers) increase supply and reduce prices.

Simultaneously, the prices of raw materials are cyclical. Macroeconomic volatility, especially the price volatility of raw materials has a double negative effect in developing countries: directly on agents’ behavior; and indirectly through negative impact on growth and development. The phenomena of speculation on raw materials prices increase their volatility in a hard predictable level for producers and consumers. Olivier de Schutter sums up the situation thus: “Today, as in

15 Christophe-Alexandre PAILLARD, *Les nouvelles guerres économiques*, Paris, Éditions Ophrys, 2011, pp. 177-178.

2008, there is a problem of shortage. But, as the information about the fires in Russia heatwave in Ukraine, heavy rains in Canada or other builds, some market operators prefer not to sell immediately, while buyers looking to buy as much as possible. If everyone behaves so prices rise”¹⁶. The remedies might be: market transparency; development of stocks; action against speculators (on *futures* markets).

Hydrocarbons, especially oil and natural gas are strong “political and economic weapons”. Oil has led to many wars, including Algeria, Nigeria, Sudan, Iraq, etc. On markets price stability and security of supply are sought. Currently, the Organization of Petroleum Exporting Countries (OPEC) sets oil production quotas and largely controls the market. There are also discussions about the possible development of a “gas OPEC”. In EU, North America, Northeast Asia, Middle East there were developed regional markets. Supplying contracts are signed for 20-25 years.

OPEC (12 states) basically coordinates the global oil policy. Its political role is well known, as it has manifested itself during the embargo against Israel in 1973. In 2011, production was 27.9 million barrels/day to a demand for 89.2 million barrels/day. OPEC provides 42% of the world production, 34% of exports and 79% of world resources. But the measures taken by OPEC have limited effectiveness due to the political power of non-OPEC exporting countries (Russia, Norway, and Mexico).

The organization faces also internal weaknesses because of strong dependence of its members on oil revenues (for some countries this revenue accounting for 70-95% of the budget). Within the organization, multiple fracture lines (rich/poor countries or Arab/non-Arab countries) make difficult any consensus and implementation of a coherent policy. Lack of discipline is a characteristic of these members.

Saudi Arabia dominates the oil market with 13% of world production and 26% of the world resources. Production is concentrated in *Saudi*

Aramco and *Chevron Texaco (offshore)*. The Yanbu pipeline ensures independence of crude oil supplies, sometimes threatened by Iran in the Strait of Hormuz. Therefore, in the region were deployed important U.S. Navy forces. The Saudis have been recorded political stability, with “reasonable” prices (70-90 dollars/barrel). The cost of production is 1-3 dollars/barrel than 5 dollars for offshore fields. Even if is only a diffuse threat difficult to assess, the challenge of Fundamentalist persists. Risk of sabotaging oil facilities is always present, e.g. in case of rebellion of the Shiite communities that are concentrated in the Persian Gulf, which represents 10% of the population.

Besides Saudi Arabia, main oil owners are, among OPEC members Venezuela, Iran and Iraq, and, among non OPEC-countries the Russian Federation, Norway and Mexico. All hydrocarbon-rich states have developed strong companies through which promotes their own interests and influence energy games and economic warfare on regional and international level.

Petroleos de Venezuela provides this country the 4th place in world oil exports, with a production of 4 million barrels/day. Through this company, Venezuela pressured the USA and favored China. We note that over the years, Venezuela has entered into an alliance with Iran. Populist regimes of the two countries cannot actually use the energy weapon. Economic cooperation projects are complicated because the geographical distance which increases the cost of bilateral trade. Even over 180 bilateral agreements were signed by 2012, before the Iranian president’s visit to Caracas, most of them have not materialized and have a symbolic value. For example, the ambition to create a common energy company to compete with major Western oil groups is unrealistic, though in the energy field both countries opposed USA through OPEC. However, Venezuela, as well as Bolivia, has finally joined MERCOSUR (led by Brazil).

Both countries face massive unemployment. In Iran, the official unemployment is 10%, but the effective rate is higher because people who work at least one hour per week are considered to

16 Olivier de SCHUTTER, “Vers une nouvelle crise alimentaire”, in *Les Echos*, 11 Janvier 2011, http://www.lesechos.fr/11/01/2011/LesEchos/20845-041-ECH_olivier-de-schutter----vers-une-nouvelle-crise-alimentaire--.htm.

be employed. The country has experienced strong population growth in the '80s, but the Iranian economy is unable to create new jobs needed to cope with this situation. Unemployment reaches therefore young and professionally well trained population. In Venezuela, the official rate of people without a job is 8%, but the informal economy continues to grow and represents almost 60% of the jobs reported.

Iran and Venezuela present budget deficits, inflation and subsidies of primary goods: in Iran, despite the increase in oil exports, the budget deficit has increased continuously since 2005. Subsidy costs the state on average \$100 billion dollars per year. Iranian economists recommended measures to mitigate inflationary shock of rising in oil prices. However, the government continues to increase spending due to oil revenues in order to limit appeals generated by the last presidential election.

The Russian Federation uses consciously the control of energy resources to ensure an influence in the power politics of the post-Soviet and European space or at international level. Gazprom is the most appropriate instrument for Russian energy "maneuvers". The Russian company, although an ordinary trader, is a powerful instrument of political pressure¹⁷. Gazprom deliver gas in over 30 countries in Europe and CIS¹⁸. Since 1990, Moscow has often stopped or threatened to stop the gas supplies to some former Soviet countries, due to political issues (independence movements, pro-Western attitudes), economic (prices, debts, giving the energy control) or military (Russian troops redraw). The monopolistic position allows Moscow to achieve some political and economic objectives through the blocking energy transit, increasing natural gas price in some states or redirecting gas transit through North Stream pipeline.

17 Cristian BĂHNĂREANU, "Arma energetică" în contextul relațiilor internaționale ale începutului de secol XXI ("Energy Weapon" in the International Relations Context of the 21st Century Beginning), Bucharest, "Carol I" National Defence University Publishing House, 2007, pp. 39-41.

18 Gazprom, *Gazprom in Foreign Markets*, <http://www.gazpromquestions.ru/en/foreign-markets/#c150>.

3.2. China's assault on raw materials

The Republic of China moved between 1978-1989 to a socialist market economy under the strong control of the Communist Party. By 1990, the small and medium enterprises were encouraged and foreign investors were accepted. The price control of essential goods was maintained. Since 1990-1992, the state industrial sector decreased from 73% of total production to 35%. Deng Xiaoping was the leader who imposed this new system of neo-Keynesian inspiration. Stimulants were created to attract foreign capital and multinationals (with tax breaks and free trade regime). Exports went to the first place and China became the "workshop of the world".

Under these circumstances, China has become a major consumer of raw materials. Under the pressure of this economic and demographic giant, oil prices increased, as well as prices for bauxite, iron, copper or gold ones. China applies a mercantilist approach, unlike Western liberals set on the rules of the market. Beijing has developed strategic partnerships with interested countries, especially in Africa. China does not relate contracts on politics. Already, there are countries that depend on Chinese imports (emerging countries).

In recent years, strategic minerals have become more important for technological and economic development, the most popular being: titanium (used in aviation, armor, submarines, alloys, etc.), germanium (advanced electronic), magnesium (explosives), platinum (contacts and conductors for aircraft, circuits with fast contacts), molybdenum (alloys), cobalt (nuclear chemistry), niobium/colombiere (special alloys). Other metals are considered to be of higher strategic importance, like rare earths. A Swedish chemist, Carl Axel Arrhenius, discovered in the 19th Century the existence of these rare earths, but the Americans were the first to use them. The Mountain Pass mine in California has long been an important place for mineral exploitation. However, the mine was closed in 2002 because its operation was no longer profitable due to of Chinese competition and environmental demands.

In reality, the "rare earths" is an inappropriate



name because they are not exactly rare in the earth's crust. However, as with other minerals, the difficulty lies in the fact that there are rarely in a sufficient concentration for a cost-effective exploitation. Rare earths are coveted because they contain 17 important elements of which 15 are from the lanthanides category (cerium, europium, and samarium) and 2 may be added to this list due to similar chemical properties (scandium and yttrium). Their uses are numerous in the high-tech era of "green industry". We can give many examples of their use: catalysts for improving gasoline consumption in automobiles; optical fibers; military and civilian super-alloys; water treatment; nuclear energy; dyes; magnets for motorized vehicles and wind turbines; magnetic refrigeration; plasma screens; computers and mobile phones; lasers; medical imaging; night viewing devices.

China controls 97% of world production and 60% of known exploitable rare earths reserves. China has mines in Inner Mongolia. Also, other countries possess rare earths, such as: Canada, USA, Australia and Vietnam. "To increase the fears of Western countries, China has ordered a 72% reduction of rare earth exports at the end of 2010. It banned all exports to Japan in retaliation after an accident around the Senkaku-Diaoyu Islands, in September 2010. China gave the impression it used its natural resources as a weapon. Since then, markets have reacted and the price of rare earths has increased significantly. China's gesture awakened the American political class, which began to put issues on the dangers of dependence on China"¹⁹. China may even prohibit all exports by 2015. USA stocks have modest, but exploitation of deposits was closed due to a better South American competitiveness. From strategic reasons, some mines could be reopened. This is an advantage that Europe does not have.

The Chinese tried to buy US oil company *Unocal* based in California, but failed to acquire *Lynas Corporation* of Australia. However, it has acquired 25% stakes in Arafura Resources, an

Australian company engaged in the exploration for rare earths. In 2013, a mine needed to be opened by this company with an annual production estimated at 20% of the world necessity. Two Chinese companies have bought in 1995 the American company *Magnequench*, manufacturer of magnets for automobiles based on rare earths. The Chinese had to keep the company in Indiana for at least five years. After that period, the Chinese left and transferred the production to China.

"Western countries tend to look at China with some fear. In fact, China has maintained a significant increase and it must ensure and to secure sources of supply, which is valid for metals and hydrocarbon. In the case of rare earths, the problem is less acute because the quasi-monopoly controls over resource exploitation. China seeks to attract as many strategic minerals processors of its territory to create value from its resources and cannot be blamed for it. The problem is how they do this. Undervaluation of the Yuan and dumping raw materials are just two examples. China seeks to lower prices to weaken competition and cause foreign companies to establish themselves in China for reasons of cost. Jobs are created for the Chinese and allow the country to gain a significant advantage in the race for resources. These constraints explain long-term policy of the Chinese leaders, policy starts to pay off. Restricting exports of rare earths can be seen as a desire to slow the bleeding of resources and the establishment of a reserve to better control supply and prices"²⁰.

Inspired by the Japanese and South Korean economic boom, the "Chinese development model" was focused on state's coordination of the economy centered on exports. In its strategy for reducing the economic gap to the West, China was basing itself on the special economic zones and attraction of foreign investment. Like Japan, the Chinese state has promoted a persistent commercial expansion. Strong development of China is explained by the different forms of "assistance" received from the USA and other Western powers. Also, the key role of multinationals was very important, covering

19 Christophe-Alexandre PAILLARD, *op. cit.*, 2011, p. 233 (authors' translation).

20 *Ibidem*, pp. 234-235.

59% of Chinese exports – 39% of exports coming from foreign-owned firms and 20% from joint ventures.

Conclusions

At the beginning of 21st Century, economic warfare and competition for raw materials are inseparable. Transnational and multinational corporations seek to overcome their competitors and gain more demand. While the market is getting more crowded, the growth and profits are decreasing. Competing companies analyze the fundamental areas of activity and identify strategic positions in the market based on low-cost, competitive advantages, market niches, etc.

Equally significant is the relation between competition, economic warfare and the system of international relations. The changes in this system are clear and depend on the rise of BRICS (Brazil, Russia, India, China, and South Africa) and other emerging countries. However, the USA and EU remain the dominant economic powers, which can be partially competed only by China.

Relations between states – especially in the globalization era – relate primarily to their political, military and economic power. The concept of economic power is associated with those of domination and dependence. Therefore, the local, regional and global economic areas are crossed by competition processes. Competition is manifested by the action of several companies on a market with limited resources (there are several economic actors using the same raw material and operating simultaneously on that market). Economic competition takes place mainly between national economies. There are partners-competitors and allies-adversaries. At geoeconomic level, competition occurs between economic blocks and even within them. The central element of economic competition lies in economic competitiveness.

In our opinion, there still remain to be determined at what level the economic competition evolves towards economic or economic-military conflict and, especially, when usual competition between economies turns into war? At times

of “military war”, this level is clearly defined. In times of peace after 1945, competition and economic warfare often intertwine. It seems that some Western countries perceive China and emerging countries as “enemies” or political and economic adversaries. In this case, there applies the thesis that national interests “control” relations among all sovereign states. National interests are translated into political and other goals and objectives, set the states’ action and the relationships between them. In the national interests, military, security and economic interests are priority.

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CAN THE “ARAB SPRING” PRESENT A REAL THREAT TO EUROPE?

*János BESENYŐ, PhD**

The paper aims to summarize the roots of the “Arab spring” in North Africa as well as to give an overview of the events in order to offer possible answers to the question in the title, namely whether the “Arab spring” poses a real threat to Europe or not. Having its main focus on Tunisia, Libya and Egypt, three core countries of the subject, gives the best opportunity and probably the most suitable examples of showing the nature and the unique dynamics of the “Arab spring”: Tunisia as the starting point of the revolutions, and Libya and Egypt where the stable dictatorships that were thought to be everlasting collapsed in a relatively short time, eventually resulting in different outcomes. As a conclusion, the study offers not only its own findings, but also raises even more questions to be answered. The single act that was done by a “nameless” figure in a rural Tunisian town changed the history of the country, then by starting a domino effect, beginning to shape the whole region and the Arab World though the real outcome still remains a question.

Keywords: “Arab spring”, terrorism, North Africa, Libya, Egypt, Tunisia.

Introduction

In the past three years a large number of articles and studies have been published on

the phenomenon branded as “Arab spring” or “Facebook revolution”¹, although its real nature is not clear for many. In my article, I make an attempt to identify the causes that triggered the “Arab spring”, what is currently happening in the Arab world, and what the consequences can be for Europe, including Hungary.

The series of increasingly violent demonstrations sweeping across North Africa and the Middle East were the results of interconnected processes. The situation was partly shaped by economic and social causes. Nearly all of the heads of states ruling the Arab countries until 2011 came to power in the ‘60s and ‘70s, after having overthrown their ineffective and corrupt predecessors². However, after a while they became similar to their predecessors and created their own kleptocracy. That time, the revenues from freshly discovered oil deposits seemed endless therefore nearly everybody received a share from them. However, this system was impossible to maintain for long and the public became fed

1 Rebeca J. ROSEN, “So, was Facebook responsible for the Arab Spring after all?”, in *The Atlantic*, <http://www.theatlantic.com/technology/archive/2011/09/so-was-facebook-responsible-for-the-arab-spring-after-all/244314>, accessed on 22.10.2013.

2 P. R. KUMARASWAMY, *Uprisings in the Arab world, options for GOI*, pp. 3-6, http://www.idsa.in/system/files/IB_ArabWorld.pdf, accessed on 23.10.2013.

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up with the completely corrupted regimes unable to prevent the pauperisation of the middle class, which came into being between the '60s and '80s, as the continuously decreasing national revenues were spent on maintaining the ruling elite's own welfare and that of their vassals. Consequently, masses protested in the streets and, when authorities responded in the wrong way, people became aware of their power. Problems affecting these countries include overpopulation, the increase of proportion of young generation (15-25 year old) to the active labourers, growing unemployment rate, desertification, lack of potable water and food, all aggravated by the global economic crisis. Economic reforms initiated by political leaderships proved unsuccessful. Moreover, they increased society's financial polarisation³. Meanwhile, funds transferred from abroad by Arabic guest workers decreased as many of them lost their jobs. Initially, demonstrations were generated mainly by economic and social troubles then well-organised Muslim radicals appeared superseding larger groups (e.g. the Coptic Christians in Egypt) and turned into government actors⁴.

Naturally, other factors also contributed to the escalation of events, e.g. tribalism, as leaders of existing regimes have kept away nearly all tribes from power, except their own ones. In North Africa, policy-making is based on tribal and clan interests instead of common political platforms or values; there "the winner takes it all". Besides, interests of great powers and other nations also appear in these conflicts.

The world is not bipolar anymore and the America-centred world order is also over as regional powers like Turkey, Brazil, China, India,

or Iran are increasingly able to represent their own interests – even against the USA. In Libya, for instance, Italy and China lost their positions due to the changes in the country, while UK and France influences seem to be stronger. Muslim organisations are gaining power although they joined the demonstrations with some delay, but then they took them under their own control. Previously, such organisations were not allowed to legally operate, but movements starting as food riots provided them with opportunities to break out and, even more, to come to power. This is what happened in Tunisia and Egypt, where they became government actors. Also, persons with connections to terrorist organizations or direct involvement in previous terrorist acts got leading positions.

After the initial uncertainty, the West had a positive attitude to the events, but later it became clear that most demonstrators did not really have pro-Western emotions⁵. Naturally, no unified scheme can be applied to the countries involved in the demonstrations as the processes influencing them were very diverse, but a part of the problems were similar. For this reason, it isn't possible to point out a single main cause laying at the basis of the "Arab spring", as its break out was triggered by a cluster of existing problems. Media had an indisputable role in the demonstrations, as they were able to influence both the course of actions and the public opinion⁶. However, there are many who overplay this role, forgetting the fact that Muslim masses are much more affected by their social relations and religious leaders than media⁷.

3 ***, *Spring Tide, Will the Arab risings yield democracy, dictatorship or disorder?, A report from the Economist Intelligence Unit*, pp. 25-27, http://pages.eiu.com/rs/eiu2/images/Arab_Spring_Tide_Whitepaper_Jun2011.pdf, accessed on 23.10.2014.

4 Maria Cristina PACIELLO, *The Arab Spring: Socio-economic Challenges and Opportunities*, pp. 2-6, <http://www.iai.it/pdf/DocIAI/iai1115e.pdf>, accessed at 23.10.2013; Marie MOELLER, *Economic Voting and Economic Revolutionizing? The Economics of Incumbency Changes in European Democracies and Revolutionary Events in the Arab World*, pp. 17-20, <http://econstor.eu/bitstream/10419/52733/1/678816808.pdf>, accessed on 23.10.2013.

5 P. R. KUMARASWAMY, *op. cit.*

6 Philip N. HOWARD; Aiden DUFFY; Deen FREELON; Muzammil HUSSAIN; Will MARI; Marwa MAZAIID, *Opening Closed Regimes*, http://pitpi.org/wp-content/uploads/2013/02/2011_Howard-Duffy-Freelon-Hussain-Mari-Mazaid_pITPI.pdf, accessed on 22.10.2013.

7 Sara REARDON, "Was the Arab Spring really a Facebook revolution?", in *New Scientist*, <http://www.newscientist.com/article/mg21428596.400-was-the-arab-spring-really-a-facebook-revolution.html>, accessed at 22.10.2013; Ben FLANAGAN, "Facebook revolution 'a myth' critics say", <http://www.thenational.ae/business/media/facebook-revolution-a-myth-critics-say>, accessed on 23.10.2013.

1. “Arab spring” consequences and the generated responses

The events of the “Arab spring” evolving from the “Jasmine revolution” took the entire international community aback and spread euphoria all over the Muslim world. Authoritarian regimes having ruled those countries for decades were regarded as solid pillars and founders of the stability in the region collapsed overnight. Initially, all demonstrations of the Arab spring began from inside and did not have anti-Western or anti-Israel feelings: the population of Tunisia, Egypt, Libya, and other countries had got fed up with the impotency and corruptness of their leaderships and took the aim at making social reforms in the framework of internal regime change. Some of the authoritarian leaders were toppled – sooner or later – while others were forced to make concessions as the world was eagerly watching the performance of the revolutionary enthusiasm.

In Algeria, peaceful demonstrations took place and they could have easily gotten more radical, but the government managed to outmanoeuvre the radicals, thus, currently, the country is peaceful. The rest is greatly dependent on who the armed forces would choose as the successor of President Bouteflika and on his policymaking.

A similar situation was shaped in Morocco too, where the King remains at power after giving some concessions – minimal changes in the government. In Tunisia and Egypt, the previous governments were overthrown as a result of peaceful demonstrations, but in the aftermath of these events, the two countries took different courses.

In Tunisia, although there was a fear Islamist parties would gain ground, managed to establish some stability with the use of governmental means.

Egypt was not so lucky. The forces previously united against President Mubarak fought each other and Islamist political parties, having taken not only the presidency, but also 70% of the seats in

Parliament, thought they can do almost whatever they wanted to⁸. The rest of interest groups did not accept such a situation and organised one demonstration after another against Mohamed Morsi and his allies. Even though President Morsi was backed by Muslim Brotherhood and offered dialogue in order to establish peace and stability, mass demonstrations were held against him till the army stepped in, removed Morsi from power in a coup d'état early in July 2013, only a few days more than a year after his election as president. The following days, an interim government was installed – surprisingly, without the involvement of high-ranking military officers – with Adly Mansour, President of the Supreme Constitutional Court as acting president until a presidential election can be held. Even though the reason for Morsi's removal was to bring stability and to bring an end to street riots and armed clashes, Morsi refuses to accept the current situation and considers himself the only legitimate president. Mid-January 2014, Mansour government enacted the new constitution that had been previously supported by 98.1%, even though at a quite low turnout – 38.6%, but still almost doubling the number of supporters compared to “Morsi constitution” of 2012.⁹

In Libya, after J. Christopher Stevens, the US ambassador to Libya, was killed in mid-September 2012, the elected Prime Minister, Mustafa A. G. Abushagur, backed down following the second failure to get the parliament's approval for his government. A week later, on October, 14th, 2012, the General National Congress (GNC) chose Ali Zeidan, former GNC member, to be prime minister and approved him and his cabinet¹⁰.

8 Charles KRAUTHAMMER, “The Arab Spring is no Facebook revolution”, <http://www.humanevents.com/2012/07/12/charles-krauthammer-the-arab-spring-is-no-facebook-revolution/>, accessed on 23.10.2013.

9 Sarah EL DEEB, “Voters Overwhelmingly Back New Egypt Constitution”, http://www.nytimes.com/aponline/2014/01/18/world/middleeast/ap-ml-egypt.html?partner=rss&emc=rss&_r=0, accessed on 22.02.2014.

10 Ghaith SHENNIB; Marie-Louise GUMUCHIAN, “Libya congress approves new PM's proposed government”, <http://www.reuters.com/article/2012/10/31/us-libya-government-idUSBRE89U18O20121031>, accessed on 23.02.2014.

Subsequently, political consensus seemed to be supporting the country's political stabilization although the performance of the government has been rather poor and many experts have envisaged the division of the country into several parts.

The fundamental issue – and the core of disagreements – is the way of state-building in North Africa. External factors have a decreasing influence in shaping internal structures which seem to be consolidating and the lack of results in Iraq or Afghanistan questions what success a process like this would promise. Meanwhile, internal actors are bogged down in seemingly endless power struggles, therefore the functioning of these states is far from optimal. However, Tunisia could be a counterexample in a way, because Ennahda is clearly in favour of the secular state and against the Sharia as the only source of legislation. Political stability is shown by the adoption of the new Constitution at the end of January 2014, bringing changes to the country, on the one hand, giving more rights for women and, on the other hand, declaring that the Tunisian President should be Islamic¹¹. Also unique to the country and the Islamic World as well is the fact that more than 20% of the members of both chambers of parliament are women, in a political system of more than a 100 parties. So, tendencies can be seen as leading to the right direction, even though Chokri Belaid, leftist opposition's leader and harsh Ennahda critic, was killed in early-February 2013.

2. The coming to power of Islamist political parties and their impact on regional and Euro-Atlantic security

For decades, USA and the European states have been trying to assist the democratisation of North-African Arab nations through preventing Islamist groupings from gaining power. However, the events of the recent past indicate that these efforts were futile, and even more, after the overthrow of the previous governments – supported by

11 George SADEK, "The Role of Islamic Law in Tunisia's Constitution and Legislation – Post-Arab Spring", <http://www.loc.gov/law/help/tunisia.php>, accessed on 22.02.2014.

the West – former illegal or semi-legal Muslim parties became government factions¹². Therefore it is not the possibility for the Islamist political parties to come to power that should be analysed, but its impact on the regional and Euro-Atlantic security. Several political analysts hold the opinion that neither the Muslim Brotherhood in Egypt, nor the Ennahda in Tunisia will radicalise and that they will make compromises with Western powers instead. Such opinions are based on the fact that both organisations are much more moderate than radical Salafists and are willing to cooperate with us. Alas, I cannot fully agree with this and my position is supported by the history of the Muslim Brotherhood or that of the Ennahda, and the events in the countries affected by the "Arab spring".

A part of Islamist organisations operating in North-Africa can be linked to the Muslim Brotherhood, established in Egypt, which supports the one-party system and the introduction of Sharia¹³. However, for various reasons, these parties were emphasising the importance of democratic reforms, the division of power, and of establishing of independent jurisdiction in the early '90s¹⁴. This was partly meant to distinguish themselves from suppressive "pro-Western" governments and gain popularity among those social groups having opposed the regime for some reason. Meanwhile, they tried to keep their conservative supporters by highlighting that, despite their support to democratic programs, they did not turn liberal or provide support to extending women's rights, and made no concessions related to religious rules.

12 Tobias SCHUMACHER, "The EU and the Arab Spring: Between Spectatorship and Actorness", in *Insight Turkey* Vol. 13, Number 3, 2011, pp. 107-119.

13 Raymond IBRAHIM, "Muslim Brotherhood: Impose Islam 'step by step'", <http://www.meforum.org/2995/muslim-brotherhood-impose-islam>, accessed on 21.10.2013; Winston Pickett; GARDNER Mark, "The book and the sword: The Muslim Brotherhood in Europe", <http://www.axt.org.uk/HateMusic/Pickett%20&%20Gardner.pdf>, accessed on 21.10.2013.

14 The Meir Amit Intelligence and Terrorism Information Center, *The Muslim Brotherhood in the Arab world and Islamic communities in Western Europe*, http://www.terrorism-info.org.il/data/pdf/PDF_11_049_2.pdf, accessed on 24.10.2013.

Interestingly, both target groups believed this populist propaganda, consequently the support to Islamist political parties and organisations have significantly increased in the recent past. In order to calm the West, the rhetoric was focused not on the importance of establishing an Islamic state, but on the founding of a “civil and democratic state on Islamic grounds”, where mosque and state (Islam and democracy) are independent from each other (but politics and religion are not). Of course, if they had taken a government role, they would have represented another ideology, as both the Muslim Brotherhood and the Ennahda tried to come to power in some way. This must have been the reason why, at the beginning of demonstrations, Islamist parties only watched the events and joined the movements later, but then they took leadership relatively fast¹⁵.

3. The issues of democracy, stability, expectations

Despite various media attempts to present the revolutionary character of the “Arab spring” and the democratic commitments of moderate Islamic parties, some facts should be given consideration. For example, what do Muslims consider to be democracy and what do Europeans take for that? How much will Islam influence our future relations? How stable will the new regimes be and how much will we be able to cooperate with them? Will they want to cooperate with us at all? Apart from providing financial support, what role can the European Union play in North African countries? Will our current economic relations maintain? Can they be further developed? Can the energy dependency of European countries be used, and what security risks does the emergence of new players in local and regional policy-making pose for us? These questions can only be answered if certain facts about the Muslim world are accepted without idealising them.

Let us begin with the *Arabs’ commitment to*

15 Cynthia FARAHAT, “The Arab Upheaval: Egypt’s Islamist Shadow”, in *Middle East Quarterly*, Summer 2011, Vol. XVIII, Number 3, pp. 19-24, <http://www.meforum.org/2887/arab-upheaval-egypt-islamist>, accessed on 10.23.2013.

democracy. In 2006, a survey was made in several Muslim countries by John Esposito and Dalia Mogahed and the results allowed interesting conclusions. The majority of Muslims, although positively regarding the freedom of speech and other democratic rights, were willing to accept only Islamic religious rules in their countries¹⁶.

This does not mean the acceptance of democratic standards of the Western world – pluralism, recognition of women’s and minorities’ rights, etc. This is why whichever Islamist political party with religious fundamentals may come to power, it shall not function in accordance with the standards expected by USA or by Europe.¹⁷ In the Western world, church and state were officially separated, which cannot happen in Muslim societies, as there is no field in life where religion does not interfere. If any democratisation process begins in the Arab world, that will only be possible with the support of Muslim religious

16 John L. ESPOSITO; Dalia MOGAHED, *Battle for Muslims’ hearts and minds: The road not (yet) taken*, pp. 39-40 <http://media.gallup.com/WorldPoll/PDF/Esposito.pdf>, accessed on 24.10.2013.

17 The European countries committed a mistake when, without any proper knowledge of the Muslim world, launched programs aimed at promoting and implementing Western democracy. In the past two decades, human rights activists have organised several campaigns, placing emphasis on the individual rights of people versus the local community (state) and they tried to launch new political movements. The activities – costing huge sums of money – brought only little results as they were not aware of the functioning of local civil society. There are two expressions used for civil society by the Muslims: “ahli” and “madani”. Ahli refers to relatives and groups living close to each other, bonded with religious ties. This characterises Muslims better and this society is much more closely knit and coherent than Western societies, they do not really take in external “foreign” influences; they speak no foreign languages; they do not need any external financial support and although they suppress women in the Western sense of the word they play an active role in society. Although Muslim society is suspicious to external influence, it is not hostile. “Madani” is used for secular, Western society, which is alien to Muslims and, even when in Western Europe, they want to live in accordance with their own social standards generating frequent clashes between them and their host communities. For details, see Amr ELSHOBAKI; Gemma Martin MUNOZ, *Why Europe must engage with political Islam?*, pp. 5-7, <http://www.iemed.org/publicacions/10papers5.pdf> accessed on 19.10.2013.



leaders. Without them, failure is encoded as, according to radical Islamist organisations, Western democracy exercised by Europeans and Americans is taken for atheism, because it places the will of people above that of God. In their opinion, democracy does not differ from secular dictatorships, supported by the USA and the EU against various Muslim terrorist groups¹⁸. This is why the “new political actors” in the North-African countries regard Western countries more like adversaries – or forced allies at best – and not as friends.

This statement also refers to the Muslim Brotherhood in Egypt, which despite having been suppressed by the secret service of the previous regime with Western assistance, became a governmental factor after the overthrow of President Mubarak. Leaders of the organisation declared several times that they were supporters of democratic transition, but, since their coming to power, seizing and keeping power at any costs and the introduction of Islamic legal system has been more important than anything else¹⁹. On the basis of their actions, they cannot be regarded as a democratic organisation. On the contrary, in my opinion, the activities of the organisation have a negative influence on the Euro-Atlantic security.²⁰ For example, several members of Al Qaeda began their “career” in the Muslim Brotherhood, which has a fundamental role in laying the theological grounds for modern

Jihad²¹. Nazi ideas had also huge influence on the Brotherhood as the founder of the movement Hassan al-Banna not only appreciated the ideas of Hitler and Mussolini, but also considered the Nazi leaders as role models²².

The Brotherhood maintained close relations with the nationalist-fascist organisation of militant Misr al-Fatat, founded by Ahmed Hussein, which has been operating as National Islamist Party since 1940. Egyptian President Gamal Abdel Nasser also joined the Brotherhood later, when frictions broke out between the political and military wings – leading up to a break-up within the organisation – Nasser established the Association of Free Officers, which seized power in a coup d'état in 1952. Since then, the two organisations have been in a continuous conflict with each other, but not as an authoritarian and secular dictatorship and an Islamist organisation, but as two ideologically related rivalling groups with similar background. Egyptian presidents with military background – Nasser, Sadat, then Mubarak – managed to convince the West that they are the only ones to contain the Islamist threat by making the USA and the European states regard them as moderate allies. In fact, when President Mubarak took position against the Islamist organisations in 1995, it was not the Brotherhood, which was an opposition party in Parliament, he committed to imprisonment, but the members of militant Salafist groupings (al-Takfir wa-i-Hijra, al-Gama'at al-Islamiya, and the Tanzim al-Jihad). At the same time, President Mubarak launched actions against an opposition organisation, the Liberal Egyptian Party, which he excluded from

18 Western powers established close cooperation with Egypt, Tunisia, Morocco, Algeria, Mali, Mauritania, even more, with Libya against Al Qaeda and the related organisations, and for curbing illegal migration. For the sake of their short-term security interests they accepted the rule of antidemocratic authoritarian leaders as they did not trust in the democratisation of Arab states. For details, see Oded ERAN, “The West Responds to the Arab Spring”, in *Strategic Assessment*, Vol. 14, No. 2, July 2011, p. 16.

19 Jerry GORDON, *No Blinders about Egypt under Muslim Brotherhood*, <http://www.meforum.org/3369/egypt-under-muslim-brotherhood>, accessed at 27.11.2013.

20 The level of security threat of Muslim Brotherhood to European countries is clearly illustrated by the paper of Lorenzo VIDINO, “The Muslim Brotherhood’s Conquest of Europe”, in *Middle East Quarterly*, Winter 2005, pp. 25-34, <http://www.meforum.org/687/the-muslim-brotherhoods-conquest-of-europe>, accessed at 23.10.2013).

21 Glen BECK, “Glenn Beck on al-Qaida links to Muslim Brotherhood”, <http://www.politifact.com/truth-o-meter/statements/2011/feb/04/glenn-beck/glenn-beck-al-qaeda-links-muslim-brotherhood/>, accessed on 24.10.2013; Toni JOHNSON, “Egypt’s Muslim Brotherhoods”, <http://www.cfr.org/africa/egypts-muslim-brotherhood/p23991>, accessed on 24.10.2013.

22 Cynthia FARAHAT, “The Arab Upheaval: Egypt’s Islamist Shadow”, in *Middle East Quarterly*, Summer 2011, Vol. XVIII, No. 3, pp. 19-24, <http://www.meforum.org/2887/arab-upheaval-egypt-islamist>, accessed on 23.10.2013; David PATTERSON, *A Genealogy of Evil, Anti-semitism from Nazism to Islamic Jihad*, Cambridge University Press, Cambridge, 2011, pp. 129-139.

political life, while the Muslim Brotherhood was allowed to have 88 representatives in Parliament. In this light, it is clear why, at the beginning, the Brotherhood refused to join the demonstrators in the streets saying: “The Brotherhood will not participate in anti-Mubarak street demonstrations as a political force or organisation”²³. Several other Islamist organisations followed suit and joined the demonstrators only when the collapse of the Mubarak-regime became inevitable. When the armed forces, previously also at power, “took power”, they made an alliance with the Brotherhood and not with secular opposition or the Coptic Christians. During transition, it became clear that the representatives of the previous regime and the Islamist groupings successfully impede any real democratic change, suppress groups demanding it, resulting in the Brotherhood’s coming to power²⁴.

Although the Ennahda is a moderate Islamist party, its performance has not been very encouraging. In 1979, for example, the organisation supported the attack on the US Embassy in Tehran and, in the ‘80s, participated in four attacks against Tunisian hotels. Afterwards, in 1991, its members launched an attack on the HQ of the Tunisian government party, where they lynched one man²⁵. In the same year, a four-day conference was held by leading Muslim politicians and religious leaders in Khartoum, Sudan. Among the participants was not only Rashid al-Ghannoushi, but also Ibrahim Shukri, the leader of Egypt’s Muslim Brotherhood, the Afghan warlord Gulbuddin Hekmatyar, Abassi Madani, the leader of Algerian Islamist Salvation Front and George Habbas, representing People’s Front for the Liberation of Palestine. The host of the conference participants was vice president of Sudan Hassan al-Turabi. The participants approved a six-point manifesto in which they declared “whatever the strength

of America and the West”, in the aftermath of the Gulf War, “God is greater”²⁶. The issues of liberalism and democracy were also discussed with the conclusion that these could be accepted only if in harmony with Islamic law. Political pluralism was also regarded as acceptable only if it was limited and subordinated to religious regulations. The manifesto was worded clearly: Islamists keep on fighting Western democracies until their idealised “pure” Islamic state can be established. For this cause, they regarded any means acceptable to use as “the end justifies the means” which allows acts unacceptable for Western democracies²⁷. For example, the current leader of the Ennahda encouraged his followers to carry out attacks against Western targets during the first Gulf War. Nevertheless, Western leaders would rather have Islamist political parties in governments than in opposition, because, in the latter case, they can make significant troubles for any new government²⁸. The case of Algeria is a good example in this respect: in 1992, Islamists won the elections whose results were nullified by the armed forces, unwilling to cooperate with them. That event was followed by a 16-year-long period of civil war, in which Islamists fought not only against government forces, but also against innocent civilians, taking the lives of tens of thousands of people.

Many claim that there have been no significant changes in the North African states, which is proven by the fact that the majority of the former elite in Tunisia, Egypt, and Libya managed to preserve their power and – particularly for their own political survival – provide support to

23 Cynthia FARAHAT, *op. cit.*

24 ***, *The Egyptian elections: A preliminary political assessment of the post-Mubarak era*, The Henry Jackson Society <http://www.henryjacksonsociety.org/cms/harriercollectionitems/EgyptFuture2.pdf>, accessed on 25.10.2013.

25 Anneli BOTHA, *Terrorism in Tunisia*, <http://www.issafrica.org/pgcontent.php?UID=19718>, accessed on 24.10.2013.

26 Judith MILLER, “The Challenge of Radical Islam”, in *Foreign Affairs*, Spring 1993, pp. 43-44.

27 *Ibidem.*

28 Some politicians think if former extremist groups got government tasks they would change because of the responsibility and would become law abiding members of society. This opinion is illustrated with IRA members, who consolidated after the agreement with the organization had been signed and completely gave up armed struggle. However, such a model has not been realized with any Muslim organization. Palestinian Fatah and Hamas are proper models of such conduct as both have their own territories and plenty of financial support yet neither have been willing to give up committing terrorist acts against Israel.



Islamist parties against forces demanding genuine democratic changes.

The situation of economy does not seem any better either. Even before the demonstrations, North Africa was facing serious economic problems. In the '90s, its annual economic growth was hardly over 3%, between 1980 and 2010 the GDP grew only 0.5% yearly, while this number in the developing countries was 3%. According to the World Bank, the 2011 economic growth in the Arab countries was no higher than 3.6%, but this estimation was dramatically reduced later because of the falling revenues from tourism industry. This is rather significant as tourism generates 13-16% of the GDP²⁹. In addition to tourism industry, significant depression hit the financial sector and construction industry too. The industries of Libya, Tunisia, and Egypt are in ruins, and their population is poorer than a few years ago. This generates serious problems in the case of the latter two nations as they do not have huge oil deposits as Libya does. Due to the nearly two year long uncertainties, investors take a wait-and-see position rather than risking their money. On the basis of the above, it seems clear that the primary objective of the population was to prevent death by hunger and not the expansion of political rights, while, the middle class (regular staff in various firms, enterprises, traders and public servants), – the engine of demonstrations – aimed at stopping the fall of their living standards. However, due to the current inflation rate and the dramatic increase in the prices of imported food this does not seem possible.

For most people with empty stomach, democracy and dictatorship do not differ very much. Therefore, powers ruling Arab states try to keep food prices low and create as many jobs as possible. However, due to the lack of funds, this can be possible only temporarily with even more desperate masses in the streets later on. The economic reform attempts made on the basis of Western models brought about only temporary

relief for the countries, then, an even wider income gap followed. If North African countries do not elaborate a new and successful model for economic reforms, the region will reach a situation similar to the one of 2011.

It is widely accepted that several changes would be vital for the establishment of a secure North Africa, such as stabilizing the financial environment, reinforcing private sector vs. state ownership, an increasing integration of local industries into regional and international economy, the development of regional trade relations, the improvement of social security, fighting corruption and unemployment, improving the prospects of the population, particularly of the youth. Although everyone agrees on these points, there have hardly been any measures taken in this field – most probably, for financial reasons. The EU bled out while trying to save the common currency and the Arab world would need at least a comparable or even larger financial support from EU³⁰.

The Muslim-Christian conflict also seems almost inevitable, thus, questioning the possibility of establishing a stable state. Even after the change of the ruling regimes, Christians in Muslims countries do not have the democratic right of freely exercising their religion, they are still strongly suppressed, afflicted with various limitations and not regarded as equal citizens. In Tunisia, for example, a Catholic priest was murdered in broad daylight, moreover, groups supported by the Ennahda, coming to power, attempted to forcefully turn a Christian church into a mosque. Some regard this only a marginal problem, as Christianity cannot be regarded as a “native” religion and most Christians living there are foreigners.

However, Coptic Christians, making up 10% of the population in Egypt, have lived there longer than Muslim majority, yet since the overthrow of President Mubarak, there have been continuous attacks against the Coptic communities³¹. Firstly, mobs fanaticized by radical Muslims

29 Elena IANCHOVICHINA et al., *World Bank, Middle East and North Africa Region. Regional Economic Update. May 2011. MENA facing Challenges and Opportunities*, pp. 4-6, http://siteresources.worldbank.org/MENAEXT/Resources/EDP_MNA_2011.pdf, accessed on 04.06.2014.

30 Oded ERAN, *op. cit.*

31 *International Religious Freedom Report for 2011, Egypt*, <http://www.state.gov/documents/organization/193093.pdf>, accessed on 25.10.2013.

attacked believers. For example, they kidnapped Christian women, forcefully converting them to Islam, and, then, forced them to marry Muslim men; others attacked Coptic Christian monks; the activities of Christian merchants were impeded; later, Christian churches were set to fire and believers were lynched³². Such events took place in early October 2011 too, when Coptic Christians launched a demonstration because of the destruction of the St. George church in Assuan Province. The crowd, demanding government protection, was brutally dispersed by police and army units deployed armoured vehicles which drove into the crowd and killed a number of people³³. In the most violent anti-Christian attack to date, 25 people were killed and another 300 were injured. Media broadcasting the crackdown on the demonstration were taken under military control, then their operation was suspended in order to prevent the information from getting to international news channels³⁴. Similarly to Middle East Arab countries, a significant wave of emigration took birth, which has been further encouraged by the government in order to get rid of Christians. According to a report by the Henry Jackson Society, in 2011, more than 100,000 Coptic Christians were forced to leave their homeland, so that they could save their lives³⁵. In the long term, however, this will cause serious financial problems for Egypt, as the roughly 8-million-strong Christian minority is well educated and work in the most important fields of economy³⁶.

32 John PONTIFEX; John NEWTON (edit.), *Aid to the Church in Need: Persecuted and forgotten? A report on Christians oppressed for their faith*, 2011, pp. 37-41, <http://www.aidtochurch.org/pdf/reports/P&F2013.PDF>, accessed on 24.10.2013.

33 ***, *CNN, Egyptian Army attacking Pro-Christians protesters in Maspiro October 10, 2011*, <http://www.youtube.com/watch?v=pvLcJELOj-Q&feature=related>, accessed on 25.10.2013.

34 Mariz TADROS, "Egypt's bloody Sunday", <http://www.merip.org/mero/mero101311>, accessed on 03.11.2013.

35 ***, *The Egyptian elections: A preliminary political assessment of the post-Mubarak era*, The Henry Jackson Society <http://www.henryjacksonsociety.org/cms/harriercollectionitems/EgyptFuture2.pdf>, accessed on 25.10.2013.

36 In my opinion, Christian immigrants integrate more easily within European countries than the Muslim refugees and this is the reason for which we shall consider that the

Yet, Salafist organisations do not care about this as they focus on creating a purely Muslim country, therefore, the persecution of Christians can continue without any consequences.

In the light of such events, I would not think that the Islamist groups coming to power in North African countries will be reliable and predictable partners of Western countries regarded as hostile by them. Nevertheless, for strategic reasons, there must be found methods of cooperation with the new governments, but they should have a bilateral nature.

4. The role of the European Union

All this makes the question justified: what can be expected with regard to the nations of the "Arab spring"? A study, made by Rym Ayadi and Carlo Sessa, analyses the impact of the transformation within the framework of Euro-Mediterranean cooperation³⁷. The authors emphasise that the current policy of Western governments has been rather inefficient; moreover, it partly supported the shaping of the present situation. For the next two decades, three possible scenarios were made on the future of the region.

In accordance with the scenario regarded as the least desirable, the Mediterranean Sea will separate in two conflicting cultures. Current conflicts will escalate leading up to political, economic, and social crises. Crises in the Middle East and Western Sahara will generate further problems; consequently, North African countries may turn in failed states, where terrorist organisations will find proper support for their anti-Western struggle. Migration from the region will grow significantly stronger, presenting further risks for the European community that will lose all its influence on the region, turning into an increasingly hostile "frontier" for Europe.

Taking into consideration the history of

former are more prone to leaving Egypt than the latter.

37 Rym AYADI; Carlo SESSA, "What scenarios for the Euro-Mediterranean in 2030 in the wake of the Arab spring?" in *EU Foreign Policy*, MEDPRO Policy Papers, 25 February 2013, <http://www.ceps.eu/book/what-scenarios-euro-mediterranean-2030-wake-arab-spring>, accessed on 24.10.2013.



the region, the study examines the cooperation opportunities in two versions which are more favourable for Europe. In the first version, a “Euro-Mediterranean Union” with an integrated and common market would be established by European and Arab nations. The integration would be based on the lessons learned from the European Economic Community. However, in such a case, the different level of development of the member states could pose a problem and the elimination of the differences would take a long time. On the other hand, a united Euro-Mediterranean Union would be able to become the third great power of the world, besides USA and China.

The other version outlines a loose Alliance instead of a Union – the Euro-Mediterranean Alliance – where the two regions would preserve their independence. In the North, it would comprise the EU – including the Balkans and Turkey – and, in the South, the Arab states in the Mediterranean basin. In this case, there would be no common economic region established, however, within the Alliance, countries could cooperate on either bilateral or regional basis and, later on, they could shape an Arab-League-like multilateral cooperation. In the framework of such cooperation, all fields mutually important for both regions could be regulated (migration, economic and security issues, etc.). This approach aims at resolving the problems of the region in a multilateral and regional way, taking into consideration differing political, economic, social, and religious backgrounds. In this case, of course, there is no urge to resolve the decades-long problems in the Middle East or Western Sahara, unlike in the case of the Euro-Mediterranean Union.

In my opinion, the first scenario is rather unlikely as the Islamist parties currently at power have proven before that they can act very pragmatically for the stabilisation of their countries if it is in their interests. In the current situation, they desperately need the financial support of Western states (USA and EU Member States), which is necessary for revitalising their economies and stabilising their countries.

Naturally, the situation would be completely different if they could get funding from other regions – the Arab countries or China. In that case, they would not need to comply with certain democratic standards required by the West and the current situation in which they need Western support may change.

For the time being, however, Western states are the ones needing the cooperation with the North African countries (e.g. in the field of oil and natural gas import, limitation of migration, countering terrorism, etc.) and not the other way round. For this reason, we would need to make agreements which we would find unacceptable in other cases.

In the second scenario, more favourable for the European countries, the harmonisation of states with different development levels would cause significant troubles which the EU would find unacceptable in the present situation.³⁸

Alas, European states have been often unable to take a common position in assessing the “Arab spring”, moreover, they openly criticised each other with regard to some decisions. This made the lack of a common European foreign policy clear for anyone.³⁹ When the events in Tunisia began, most European states remained silent and waited to see which party seizes power and they welcomed the revolution only after the Tunisian Head of State had fled his country. France had provided active support to the previous government by sending various crowd control assets and even experts to the Tunisian security forces.

Similar events took place in Egypt, where under the leadership of France and with the support of Hermann Van Rompuy and Catherine Ashton,

38 Partly due to the economic crisis, EU is currently struggling to survive. Therefore, I do not consider it could spend the funds necessary for saving Greece, Italy, Spain, or Ireland in North African countries. Yet, we must not turn away from this set of problems and should provide some assistance to the North African countries as it is in our interests too.

39 In the past few years, I participated in three Peace Support Operations in Muslim countries and I understood there that most Muslims there do not regard the EU as a real, unified, and functional power, in contrast with the USA, as in their views it is just an economic and political community of interests of a few states and may disintegrate anytime.

some Southern European countries worked for the Egyptian leadership. They thought Mubarak was the only one capable of stopping Islamic extremists and a democratic transition wouldn't be possible unless he remained in power. Their opinion changed only when UK Prime Minister, David Cameron, openly criticised the Egyptian regime because of its violent actions against civilians. Just the week before President Mubarak resigned, the EU condemned the Egyptian government and called on its representatives for talks with the demonstrators⁴⁰.

In the case of Libya, EU member states unanimously rejected cooperation with the Gadhafi regime, but several of them declined to participate in NATO operations launched under French leadership, or to unilaterally recognise the interim government⁴¹.

On the basis of the events in the region, it can be stated that the attitude and relationship of these countries to the Western world will change. In the future, it is not heads of governments to make agreements with them, but governments and groupings that – no matter how pragmatic might be – they will make politics on the basis of their religious beliefs. It is in the interest of the EU to create stability for the newly established governments, not only within their own nations, but also at regional level. Whoever will rule North African countries, it is important for them to maintain a reasonable cooperation in the fields of illegal migration, economic, agriculture, energy sector, education, security issues etc.. Currently, these states can only be stabilised with the financial support of Western countries and we are fundamentally interested in providing support to them. Naturally, this could happen only with the appropriate pre-conditions, meant to provide a more efficient protection to Christian minorities, and with the respect of certain standards. In any other case, not only the stability of the region, but also those of the Union will suffer serious damage.

40 *European Council declaration on Egypt and the region*, February 4 2011, http://www.coe.int/t/dg4/nscentre/EgyptRegion_Declaration_EC.pdf, accessed on 28.10.2013.

41 Tobias SCHUMACHER, "The EU and the Arab Spring: 'Between Spectatorship and Actorness'", in *Insight Turkey* Vol. 13, No. 3, 2011, pp. 116.

Conclusions

Although there are more than three years since the beginning of the "Arab spring", its consequences and influences have still been unforeseeable. Islamic organisations in the region – both moderate and radical ones – have clearly grown stronger in all North-African countries and become government factors. Whether these parties grow radical or consolidated when they exercise power, or what security challenge they present for the Western countries is unknown yet. However, it is an obvious fact that during the Arab spring several militant Islamists were freed from the prisons in Tunisia, Egypt, and Libya and now are active without any limitations or, even more, some of them got into power. In these countries, central government has temporarily been weakened and, due to the involvement of Muslim organisations in governance, security forces – even if they could – do not counter the various Islamist groups, which, exploiting the new situation, are free to raise funds for themselves, recruit new members and participate in political life in an increasingly active way. For this reason, the strengthening of Islamic terrorism in the region can be regarded as a real threat affecting European countries in the Mediterranean basin. Regardless of our intention, it is highly unlikely that a Western type of democratic social structure could be implemented there, moreover, a further limitation of human rights can be expected (the positions of the Christians or other minorities) as the Islamist organisations in governments wish to base their rule on the principles of Sharia law.

However, it's not only former prisoners who have no limits any more. There are only estimations about the number of military installations that were robbed and emptied by unknown groups, only estimations about the quantity of weapons – even heavy armours – that were taken illegally for use or for sale. The almost non-existent borders of the North African countries mean a great opportunity for arms trafficking in a region where few AKs can turn the outcome of armed clashes for the opposite. The former dictatorships had their means to fight proliferation, but now, weak central governments have no or little influence in remote border areas,

especially in the case of Libya border with Chad, in the once disputed Aozou region, and at the Egyptian-Sudanese border. These weapons were taken not only by smugglers, but also by militia members and soldiers as well who fled the country after the armed fights were over or after the government was unable or unwilling to pay them. These soldiers with combat experience are now looking for other opportunities where they can fight for their cause or find their fortune.

In my opinion, this is depending a lot on the abilities of the new governments to use their existing economic potential for placing their stagnating economies on the course of development, and also to discontinue the corruption and bribery-stricken policies of their predecessors; and it also depends on the redistribution of the revenues of their nations. If they are able to make new jobs and rebuild the battered social systems, they will be able to gain the support of the majority of their societies. Naturally, this cannot happen without the (financial, material, know-how) support from Western countries as, without that, the exploitation of their existing opportunities will not be possible. If the aforementioned conditions are met, these countries will be stabilised, but if their new leaders do not achieve results in these fields relatively soon, new demonstrations may be launched, determining the destabilisation of the region, presenting thus further risk factors for Europe, including Hungary.

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TERRORISM – A CURRENT THREAT TO EUROPEAN SECURITY

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U.S. terrorist attacks of September 11, 2001 made the whole world aware of terrorism's magnitude. After the initial shock, the European Union (EU) began to take measures to make effective the fight against this threat. EU efforts to fight terrorism have resulted in a number of strategies and programs such as the European Security Strategy, The Hague Programme: Ten priorities for the next five years. the Counter-terrorism strategy etc.. Despite the progress made by the EU in the fight against this flagellum, it remains a constant threat to the European security.

Keywords: *terrorism, the European Union, strategy, security, European agency.*

1. Terrorism. General considerations

Terrorism is a scourge that knows no borders and threatens the security, the rights and freedoms of citizens and democratic values. Its global dimension, the ease of recruiting terrorists by radicalization and Internet, together with the state of the art technology providing a fast and effective communication between members of terrorist groups, as well as the access to sources of finance led to a rapid evolution of this scourge, with repercussions for the European countries.

The U.S. terrorist attacks of September 11,

2001 were a decisive moment for the world in terms of awareness regarding the violence and the size that terrorism can develop.

José Manuel Durão Barroso, President of the European Commission, considers that “the attacks of 11 March 2004, as well as the attacks in the U.S of 11 September 2001, and similar attacks like the ones in Morocco (Casablanca), Tunisia (Djerba), Turkey (Istanbul), Indonesia (Bali), Russia (Beslan and Moscow) and Iraq have shown us is that terrorism is a serious threat that concerns us all. Terrorism is a global phenomenon, and the struggle against it must therefore be carried to the world stage. It requires determination and unity. The reaction of the European Union and of its partners to the terrorist threat has shown that we do not shy away from the challenge”¹.

2. Overview of the terrorism' current situation in the European Union

At the EU level, some of the most violent terrorist attacks that took place in the Member States have targeted capitals of Spain and UK.

¹ Speech by José Manuel Durão BARROSO, President of the European Commission. *Fighting terrorism together in the EU. International Summit on Democracy, Terrorism and Security*, Madrid, March 10, 2005, accessed on January 14, 2014, on http://www.eu-un.europa.eu/articles/en/article_4444_en.htm.

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Thus, on March 11th 2004, in Madrid, several explosions were triggered simultaneously in four trains. The terrorist attacks resulted into 191 deaths and 1,800 injured². A year later, on July 7th 2005, the blasts that hit London's transport network, three on the subway and one in a bus caused the death of 56 people, injuring another 700³.

Following the 9/11 attacks, Europol annually conducted a strategic review of the situation in Europe – *EU Terrorism Situation and Trend Report (TE-SAT)*⁴ – based on the information provided by the EU Member States. This analysis presents an overview of terrorism in the EU and future trends of this specific phenomenon.

Europol experts believe that “terrorism is not an ideology or a movement but a tactic or a method to achieve political goals”⁵.

In the analysis *EU Terrorism Situation and Trend Report 2009*, terrorist organizations are classified according to the source of motivation. The types of terrorism identified are those that reflect the current situation in the European Union: the Islamist terrorism, the ethno-nationalist and separatist terrorist groups, the left-wing terrorist groups, the right-wing terrorist groups and the single issue terrorism.

The data provided in the analysis reports *EU Terrorism Situation and Trend Report* of the years 2008-2013 indicate that the terrorist threat remains at a high level and is presented in various forms.

In 2007⁶, 583 terrorist attacks in 9 Member States were recorded. Most attacks, 517, were claimed or attributed to separatist groups and took place in Spain and France, while in the UK, Denmark and Germany, terrorist attacks

of Islamic groups took place. The authorities arrested 1044 suspected terrorists and reported a total of 331 convictions for terrorism.

In 2008⁷, both the number of terrorist attacks (515) and the number of people arrested (1009) are in a slight decrease, while the number of persons prosecuted is maintained at the same level as the previous year (359).

In 2009⁸, the number of terrorist attacks - 294 in 6 countries - decreased while the number of persons suspected of terrorism increased to 587, and the number of those prosecuted to 391. It is noted that, in France and Spain, the number of attacks by separatist organizations increased.

In 2010⁹, the terrorist attacks decreased slightly (249), being reported especially in France and Spain. The institutions involved in the fight against terrorism made 611 arrests and sent 307 people to justice.

In 2011¹⁰, 174 terrorist attacks are reported particularly in France, Spain and the United Kingdom, 484 terrorist suspects arrested and 316 people brought to justice. It is worrying the fact that extremist terrorist groups have an increasingly larger visibility on the internet. There are terrorists who create their websites on the internet in different languages. Also on various forums are posted video and audio statements inciting to terrorism, threats or indications about certain actions to be taken by certain terrorist groups.

2011 is the year that remains deeply marked in the memory of the Europeans by the terrorist attacks staged by the Norwegian Anders Behring Breivik. On July 22, Breivik detonated a car bomb near the Norwegian government headquarters and a few hours later opened fire at a Labour Youth summer camp on Utoya Island, killing 77 people.

Thus, for the first time in the 2012 Europol report analyzing the phenomenon of terrorism

2 Elena MASTORS, Alyssa DEFFENBAUGH, *The Lesser Jihad: Recruits and the Al-Qaida Network*, Rowman & Littlefield, 2007, p. 46.

3 Israel W. CHARNY, *Fighting Suicide Bombing: A Worldwide Campaign for Life*, Greenwood Publishing Group, 2007, p. 41.

4 The publications are available at https://www.europol.europa.eu/latest_publications/37, accessed on January 10, 2014.

5 Europol, *TE-SAT 2008 – EU Terrorism Situation and Trend Report*, European Police Office, 2008, p. 7.

6 *Ibidem*, pp. 10-15.

7 Europol, *TE-SAT 2009 – EU Terrorism Situation and Trend Report*, European Police Office, 2009, pp. 11-16.

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9 Europol, *TE-SAT 2011 – EU Terrorism Situation and Trend Report*, European Police Office, 2011, pp. 9-14.

10 Europol, *TE-SAT 2012 – EU Terrorism Situation and Trend Report*, European Police Office, 2012, pp. 8-14.

for the previous year, it is signaled the threat of the terrorists acting alone, like Anders Behring Breivik. It is a real threat, which produces many casualties, as in the case of the Norwegian Breivik. In addition, because they are lonely actors, it is more difficult to detect them. In the same year, 2011, in Germany, there were two deaths from another attack by a lone terrorist, while in Norway, which is not a EU Member State, but it is a European country, the number of deaths resulting from the former mentioned attack rose to 77. That is why 2011 remains thoroughly marked in the Europeans memory by the Norway attacks in July 22, when Breivik detonated a car bomb in the vicinity of the Norwegian Government and a couple of hours later, opened the fire in a summer camp held in Utoya island by the Norwegian youth wing of the Labour Party, called the Workers' Youth League, causing the death of so many persons.

The last review made public concerns the year 2012¹¹ and the data indicate a number of 17 people killed following the 219 terrorist attacks carried out in the European Union. Also, 537 arrests were made and 400 people were brought to justice.

As it can be seen, the 2012 data show an increase compared with 2011, which can only cause concern. This information certifies that the terrorist phenomenon constitutes a continuing threat to the European security and that it is on an upward trend.

3. Counter-terrorism strategies

In what follows, I will briefly present some of the programs and strategies developed by the European Union with a major impact in the fight against terrorism.

Faced with terrorism, the European states agreed on some measures to prevent and combat this threat. A first step was done by establishing, in the Council of Europe, the *European Convention on the Suppression of Terrorism (ECST)*, adopted in Strasbourg on January 27th 1977, and entered into force on August 4th, 1978. Alarmed by the

increasing number of acts of terrorism, the EU Member States desired, through this Convention, to take effective measures to prosecute and punish terrorists, and extradition is considered the most effective means of achieving it. There is also an attempt to define terrorism. Thus, there are mentioned a series of crimes that are classified as terrorist acts (offense involving kidnapping, taking hostages or unlawful detention, an offense involving the use of a bomb, grenade, rocket, automatic firearm or letter or parcel bomb¹², etc.), specifying that they will not be regarded as political offenses, offenses related to political offenses or offenses inspired by political motives.

The European Union is actively involved in combating the terrorism through the adoption by the Council on December 3th 1998, of the Council and the Commission Action Plan on how to best implement the provisions of the Treaty of Amsterdam regarding the achievement of an area of freedom, security and justice. This approach continues with details relating to terrorism in the Conclusions of the Tampere European Council on October 15th and 16th, 1999, and the European Council in Santa Maria da Feira on June 19th and 20th 2000. A year later, the Conclusions of the Council are presented, as well as the Action Plan on terrorism in the European Council of September 21th 2001, reuniting in an extraordinary session, to analyze the international situation following the terrorist attacks in the U.S. and to boost the EU actions against terrorism.

The magnitude of the 9/11 terrorist attacks directed against one of the greatest powers of the world made the European Union step up the fight against terrorism. In this respect, the *Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism* was adopted, stating the need for the Member States to harmonize their legislation and to accept a definition of terrorist offenses approximated in all Member States. Also, in the Framework Decision, the terrorist offenses are clearly defined; in accordance with them, it is required the implementation, by the

11 Europol, *TE-SAT 2013 – EU Terrorism Situation and Trend Report*, European Police Office, 2013, pp. 8-15.

12 *European Convention on the Suppression of Terrorism*, accessed on January 14, 2014, at <http://conventions.coe.int/Treaty/en/Treaties/Html/090.htm>.



Member States, of penalties and sanctions against natural and legal persons who have committed such offences.

The adoption, by the European Council, in the meeting on December 12th and 13th, 2003 in Brussels, of the European Security Strategy developed under the coordination of the High Representative for Common Foreign and Security Policy, Javier Solana, marked an important step in affirming a more significant role of the European Union at the international level in the management of new types of risks and threats. The strategy identifies the key threats to EU security and the strategic objectives for ensuring security and promoting EU values. The main threat Europe is facing is identified as terrorism and sustained action against terrorism is essential. As a result of the active engagement in the fight against terrorism, EU has taken concrete measures, such as the adoption of the European arrest warrant, initiatives against terrorist financing and an agreement on mutual legal assistance with the United States¹³.

Regarding the effectiveness of EU action to combat terrorism in the *Communication from the Commission to the Council and the European Parliament - Prevention, preparedness and response to terrorist attacks*¹⁴, the Commission believes that it can only be achieved through a better integration of the police and judicial cooperation in the EU's general policy. Also, for a coherent foreign cooperation, it is necessary for the fight against terrorism to be fully integrated into the EU's external relations policy. A first concrete step in this regard is the development of the *Strategy of the Technical Support Commission to combat terrorism*. This document gives the Commission the opportunity to increase their contribution to the overall EU approach to assist

13 ***, *Stratégie européenne de sécurité. Une Europe sûre dans un monde meilleur*, Bruxelles, le 12 décembre 2003, p. 6, accessed on February 14, 2014, at <http://www.consilium.europa.eu/uedocs/cmsUpload/031208ESSIIFR.pdf>.

14 Communication from the Commission to the Council and the European Parliament - *Prevention, preparedness and response to terrorist attacks* /* COM/2004/0698 final */, accessed on January 14, 2014, at <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELLAR:6f53d235-7ffc-4023-b761-cbfaf2b65cad>.

in combating terrorism in countries and third regions. In parallel, the Commission will intensify its efforts to regulate all aspects of transport and energy security in the fight against terrorism.

Concerned with strengthening the area of freedom, security and justice, the European Commission establishes ten priorities for 2005-2009 in its Communication of May 10th, 2005 to the Council and the European Parliament, entitled *The Hague Programme: ten priorities for the next five years. The Partnership for European renewal in the field of Freedom, Security and Justice*.

The European Commission considers that one of the ten priorities that should be subject to EU action is the fight against terrorism. A comprehensive approach to combating terrorism is essential to achieving real and fast results. Also, to streamline this fight it is necessary to focus on aspects of prevention, preparedness and response of the European Union, while attaching particular importance to the means of recruitment, financing, risk analysis, critical infrastructure protection and consequence management¹⁵. In the same vein, the cooperation between competent authorities of the Member States, especially related to the exchange of information regarding the investigation of terrorist activities would greatly improve the efforts to fight terrorism.

Faced with a constant terrorist threat, the EU consistently works by taking further action. In this regard, in 2005, Gijs de Vries, Counter-Terrorism Coordinator develops the EU strategy for combating terrorism, adopted by the Council on November 30th the same year.

The European Union Counter-Terrorism Strategy aims to combat the global terrorism while respecting human rights and ensuring for their citizens an area of freedom, security and justice. The strategy is founded on four pillars: prevention, protection, prosecution, reaction

15 *Communication de la Commission au Conseil et au Parlement européen - Le programme de La Haye: Dix priorités pour les cinq prochaines années Un partenariat pour le renouveau européen dans le domaine de la liberté, de la sécurité et de la justice* /* COM/2005/0184 final */, accessed on January 14, 2014, at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52005PC0184:fr:HTML>.

(prevention of terrorism, citizens and critical infrastructure protection, pursuing of terrorists and the response of the European Union) which represents a comprehensive approach to the terrorist threat. At the political level, there are clearly defined powers on combating terrorism and monitoring objectives.

The European Council deals with political monitoring, evaluating, every six months, the progress made; the Council, the Parliament and the Commission provide a high-level political dialogue on counter-terrorism; The Permanent Representatives Committee shall monitor the progress on the four areas of action of the strategy, using updates provided by the Counter-Terrorism Coordinator and the Commission¹⁶. The major role that the EU plays internationally will facilitate the implementation of the objectives set in the strategy. Also, in cooperation with the United Nations and other international and regional organizations, the European Union will be involved in establishing common international agreement on combating terrorism. In the same vein, the European Union will help the UN with drafting a comprehensive strategy to fight terrorism. In addition, because of the fact that the terrorist threat is global, it is imperative that all countries work together to fight against this scourge.

On December 11th, 2009, The European Council adopted *The Stockholm Programme*, which identifies the priorities of the European Union (EU) for the area of justice, freedom and security for the period 2010-2014. This document refers to the need for a national security strategy of the European Union to protect its citizens.

Thus, due to the fact that terrorism and organized crime, drug trafficking, corruption, human trafficking, illegal border crossing and arms trafficking threaten the internal security of the Member States, the European Council asked the Council and the Commission to carry out an internal security strategy of the European Union.

16 ***, *Strategie de l'Union européenne visant à lutter contre le terrorisme*, Bruxelles, le 30 novembre 2005, accessed on January 10, 2014, at <http://register.consilium.europa.eu/doc/srv?l=FR&t=PDF&gc=true&sc=false&f=ST%2014469%202005%20REV%204&r=http%3A%2F%2Fregister.consilium.europa.eu%2Fp%2Ffr%2F05%2Fst14%2Fst14469-re04.fr05.pdf>.

Terrorism is seen as a genuine, enhancing tendency against which asks for continuous measures. In this regard, first, the efforts for closer cooperation between the Member States to analyze and better understand the phenomenon of terrorism in order to develop a strategy to combat it should be intensified. It was also noted that measures to combat terrorist financing should be updated for the realities of the financial system. In addition, it was considered necessary for the EU agencies with responsibilities in ensuring internal security – Europol and Eurojust SitCen – to engage more in activities that aim at fighting against terrorism. It reiterated that the Union will continue to take an active role in combating terrorism in different international forums.

On 25th and 26th March 2010, the European Council adopted the *European Union Internal Security Strategy*, which, together with the *European Security Strategy*, complements the EU vision on the security dimension. Terrorism is mentioned in the *European Union Internal Security Strategy* as a significant threat in constant evolution to the citizens of the Member States. The answer to this threat is, on the one hand, to elaborate specific strategies and programs to combat terrorism, and, on the other hand, the work done in the field by the agencies established to achieve results in the fight against terrorism and organized crime: Europol, Eurojust, Frontex. Also, instruments based on mutual recognition such as the European Arrest Warrant and the provisions on freezing assets were established. The operational cooperation between the Member States in the EU is facilitated through the establishment of joint investigation teams, organization of joint operations and close cooperation to ensure the security of international events¹⁷. In the same vein, peer review evaluation exercises are an effective way to share experience. *The Internal Security Strategy* aims to use common tools and policies to respond to the terrorist threat acting simultaneously on several fronts: police and judicial cooperation, border management and civil protection.

17 ***, *Strategie de sécurité intérieure pour l'Union européenne*, Office des publications de l'Union européenne, Luxembourg, 2010, p. 18.

The EU involvement in the fight against terrorism is reflected in the Commission Communication to the European Parliament and Council of 20 July 2010, entitled *Policy of the EU Counter-Terrorism Policy: main achievements and future challenges*. This communication focuses on the four areas set out in the strategy to combat terrorism: prevention, protection, pursuit, response. Among the main achievements of counter-terrorism policy of the EU are mentioned, on the one hand, programs and strategies – Framework Decision on combating terrorism (2002/475/JHA), the Stockholm Programme, The EU Counter-Terrorism Strategy, the EU Strategy for combating radicalization and recruitment, the Framework Decision on attacks against information systems, European Programme for the Protection of Critical Infrastructure (EPCIP), EU Action Plan for Enhancing the Security of Explosives, Data Retention Directive, and, on the other hand, the mechanisms with role in combating terrorism, and the European Network of Experts on Radicalisation (ENER), the EU Civil Protection mechanism, the Crisis Coordination Arrangements - CCA ARGUS system, creating a Comprehensive program of security research, as part of the 7th Framework Programme for research and technological development, which was provided 1.4 billion EUR for 2007-2013¹⁸. Among the future challenges identified in this document, I shall only mention the identification and establishment of the most effective approaches to the use of Internet for terrorist purposes, progress in standardization and certification of security solutions, implementing CBRN Action Plan.

The policy to prevent and combat terrorism is completed and reinforced by the European Commission through the development of policies to combat terrorist financing, restricting access to chemical, biological, radioactive, nuclear, explosive material, protecting the critical

European infrastructure, concerning the access to information and exchange of information. *The Terrorist Finance Tracking Programme (TFTP)*, entered into force on August 1st 2010, is of a particular importance. It is an agreement signed between the EU and the U.S., which regulated the exchange of banking information between the two parties signatory to benefit the fight against terrorism.

4. Romania's involvement in preventing and combating terrorism in accordance with EU provisions in this area

Romania is engaged in preventing and combating terrorism both internally and internationally. In order to align to the measures aimed to combat terrorism taken by the European Union, Romania has created complete internal mechanisms to counter terrorism.

Thus, one of the important measures in the fight against terrorism is to designate the Romanian Intelligence Service (SRI) as the national counterterrorism authority by the Decision of the Country's Supreme Defence Council (CSDC) of 19 November 2001.

On April 5, 2002, by Resolution No. 36, the Country Supreme Defence Council (CSDC) approved of the National Strategy for Preventing and Combating Terrorism, on which was founded, the same year, the National System for the Prevention and Combating of Terrorism (NSPCT) which brings together 21 public authorities and institutions that have competence in this area. The strategic coordination of NSPCT is provided by CSDC, while the technical coordination is the responsibility of Romanian Intelligence Service (RIS). These actions of Romania to prevent and combat terrorism, included, in a broad vision, the objectives and the tasks of the institutions that make up NSPCT to achieve obligations under Chapter 24 – Justice and Home Affairs prior to negotiation of Romania's accession to the European Union regarding the section aimed at combating terrorism.

Preventing and combating terrorism is regulated by Law no. adopted by the Romanian

¹⁸ ***; Comunicarea Comisiei către Parlamentul European și Consiliu – *Politica de combatere a terorismului a UE: principale realizări și viitoare provocări*, Bruxelles, 20.7.2010, COM(2010) 386 final, accessed January 12, 2014, on <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0386:FIN:RO:PDF>.



Parliament on 25 November 2004. The law referred to the establishment within the RIS of Counter-Terrorist Operational Coordination Centre (COCC) which came into operation in 2005 and performed technical coordination of NSPCT.

The Romanian legislative framework on terrorism is conducted in accordance with the European standards and include, inter alia, Government Decision (GD) No. 467/2002 for approving the List of natural and legal persons suspected of committing or financing terrorist acts; Law no. 656/2002 on preventing and sanctioning money laundering and the establishment of measures to prevent and combat terrorist financing and subsequent amendments; Law no. 39/2003 on preventing and combating organized crime; Law no. 302/2004 on international judicial cooperation in criminal matters, as amended and supplemented; GD No. 1272/2005 approving the List of natural and legal persons suspected of committing or financing terrorist acts. Also, the Criminal Code and the Criminal Procedure Code are tailored to the requirements of international agreements and are able to create conditions for effectively combating terrorism and maintaining active cooperation in this area with the European Union Member States¹⁹.

For the legislative harmonization with the EU acquis and the prevention and combating international terrorism, Romania has ratified international conventions on preventing and combating terrorism including the European Convention on the Suppression of Terrorism (January 27, 1977), the International Convention for the Suppression of the Financing of Terrorism (9 December 1999), the Protocol amending the European Convention on the Suppression of Terrorism (May 15, 2003), the International Convention for the Suppression of Acts of Nuclear Terrorism (September 14, 2005), the Council of Europe Convention on the Prevention of Terrorism (May 16, 2005), the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from

Crime and on the Financing of Terrorism (May 16, 2005).

In the same vein, RIS and FIS (Foreign Intelligence Service) intelligence services have developed specific activities that marked Romania's involvement in the joint efforts of the international community to combat terrorism.

According to the Report of the activity of the Romanian Intelligence Service in 2012, in NATO and EU networking format, RIS has strengthened the status of provider of substantial information for supporting Romania's national interests in issues of major relevance. In parallel with the transmission of relevant information to NATO and the EU structures charged with the intelligence, the Service adopted a pro-active attitude in promoting their agenda of topics of interest to Romania (cyber, energy security, etc.)²⁰.

Romania tackles, in a broadened view, its involvement in preventing and combating terrorism as a EU member. Thus, in addition to the institutional and legislative initiatives, Romania acts at the level of operational cooperation. In 2007, the Service for Intervention and Special Actions joined the Atlas Network group of special police units of the Member States, which was established as a response of the EU after the 9/11 terrorist attacks to ensure operational side fighting terrorism. Currently, the group consists of 32 elite special intervention units that work together to increase their skills in order to develop joint training plans and effectively act together in the conducted operations.

During the period 17 to 18 April 2013, there was conducted the counterterrorism simulation exercise "Common Challenge" involving antiterrorist units from many EU Member States, including Romania. This type of exercise of this magnitude is the only one carried out in Europe and consisted in triggering simultaneous terrorist attacks across the new EU Member States (Austria, Belgium, Ireland, Italy, Latvia, Romania, Slovakia, Spain and Sweden, in many locations (buildings, buses, ships, trains), hostage taking and rescue operations.

¹⁹ *Cadrul instituțional și legislativ de prevenire și combatere a terorismului*, accessed January 16, 2014, on <https://www.sri.ro/fisiere/studii/cadrullegislativ.pdf>.

²⁰ *Raport de activitate. Serviciul Român de Informații în anul 2012*, p.24, accessed January 14, 2014, on http://www.sri.ro/fisiere/rapoarte/Raport_SRI_2012.pdf.

Gilles de Kerchove, EU Counter-Terrorism coordinator, who made numerous efforts to achieve this exercise, said: “I think this is a key area in which the EU can provide support for operational cooperation between the Member States in facing and reacting to a large scale terrorist attack. In Europe, we continue to face a serious terrorist threat. It remains essential to strengthen our immediate response structures, such as special forces. Practical cooperation, joint exercises and training prove that we are working closely together to better protect EU citizens in case of a terrorist attack”²¹.

5. The EU policy to prevent and combat terrorism from the perspective of the international scientific community

The EU prevention and counter-terrorism policy is perceived by the international scientific community as not yet fully developed, but for whose realization, considerable efforts have been made at the legal and institutional levels.

Daniel Keohane, a former researcher at the Institute for Security Studies of the European Union, and currently Director of Research of the Fundación para las Relaciones Internacionales y el Diálogo Exterior (FRIDE), believes that Europeans, unlike Americans, have a different approach to terrorism and are less willing to conduct major military operations around the world to hunt terrorists. In addition, they do not have the military capabilities required to perform such missions²². In his opinion, the European Union emphasizes the force of law and not on the law of force²³.

On the other hand, Javier Argomaniz

appreciates the EU’s response to certain aspects regarding the fight against terrorism: “The Union’s response to the threat of transnational terrorism has been complex and multidimensional, ranging from the exchange of information between police and intelligence agencies and judicial cooperation and from infrastructure protection to the fight against terrorist recruitment and financing”²⁴.

In contrast, Oldrich Bures is critical on the counter-terrorism policy of the EU, which, in his opinion, is more like a paper tiger than an effective device to combat terrorism²⁵. However, he agrees that the legal and institutional analysis reveals that, in some respects, the EU counter-terrorism policy, is making significant, although slow, progress.

Thomas Renard, a researcher at Egmont – Royal Institute for International Relations, believes that EU is a young counter-terrorism actor that has developed policies and capabilities in this area and gradually strengthened its status as a trusted partner internally, with its Member States and externally, with third countries. Comparing the EU with other non-state actors, Thomas Renard believes it is impressive how much has been done in such a sensitive area. Although the EU has limited capacity, it is the only supranational body that has this level of competence and ambition and has a say in various regional and multilateral forums. The internal dimension of the EU counter-terrorism policy is by far dominant, but the external one has developed significantly in recent years, including various tools and programs²⁶.

In turn, Franco Frattini, former Commissioner for Justice, Freedom and Security, recognizes the merits of the Member States in the fight against terrorism: “Our member states’ authorities have been able to prevent a number of attacks,

21 Statement of The EU Counter Terrorism coordinator, Gilles de Kerchove, *Atlas common challenge 2013: “All together to protect you!”*, Brussels, 17 April 2013, accessed on January 15, 2014, at http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/136832.pdf.

22 Daniel KEOHANE, *The EU and counter-terrorism*, Centre for European Reform, London, May 2005, p. 14, accessed on January 11, 2014, at <http://library.coleurope.eu/pdf/CER/keohane.pdf>.

23 Daniel KEOHANE, *Europeans can be confident about the future*, February 12, 2014, accessed on February 13, 2014, at <http://www.euwatcher.eu/blog/daniel-keohane-europeans-can-be-confident-about-the-future/>.

24 Javier ARGOMANIZ, *The EU and Counter-Terrorism: Politics, Polity and Policies After 9/11*, Routledge, 2011, p. 1.

25 Oldrich BURES, *EU Counterterrorism Policy: A Paper Tiger?*, Ashgate Publishing, Ltd., England, 2011, p. 2.

26 Thomas RENARD, *Confidential partnerships? The EU, its strategic partners and international terrorism*, European Strategic Partnerships Observatory, Working Paper 4, January 2014, Fundación para las Relaciones Internacionales y el Diálogo Exterior (FRIDE) 2014, p. 23.

for which we must be grateful. I am talking about Spain, Italy, Belgium, United Kingdom and Germany. Yesterday²⁷, Danish authorities dismantled a group of young terrorists, also of Danish nationality ready to move to a bombing attack. Minister Espersen of Denmark said that this was the most serious terrorist case in Denmark so far²⁸.

In the analysis carried out by specialists, the EU policy to prevent and combat terrorism is not estimated to be perfect, but the efforts towards its development are commendable. The consolidation of this policy should be continued so that the objectives can be achieved.

Conclusions

At the EU level, the institutional cooperation strengthened the efforts to combat terrorism, and the measures adopted over time reflected the realities of the moment and the evolution of this phenomenon. The Member States have an important role in this field, getting involved in identifying and pursuing terrorists and managed to achieve the prevention of terrorist attacks.

The work of EU agencies with responsibilities in this area, Europol and Eurojust, recorded numerous achievements and the creation of joint investigation teams scored an ever closer cooperation between the police forces of the Member States, which has resulted into significant benefits for the ongoing investigations.

For a larger response in the fight against terrorism in the European Union, there is required a closer collaboration among Member States at the level of national police, in the information and justice fields, and also continuous cooperation of the Member States with EU agencies that have a role in combating terrorism. The fight against terrorism is a long process that must be

continuously adapted according to the evolution of terrorism in the European Union.

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27 Author's note: it refers to September 4, 2007.

28 Speech of European Commissioner responsible for Justice, Freedom and Security, *EU counter-terrorism strategy*, European Parliament, Strasbourg, 5 September 2007, accessed February 11, 2014, on http://europa.eu/rapid/press-release_SPEECH-07-505_en.htm?locale=en, accessed on January 11, 2014.



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THE SOURCES OF EU INSTITUTIONS' ORIGINALITY

*Mădălina Virginia ANTONESCU, PhD**

This article seeks to provide, by using a legal approach and a chronological perspective on the European construction, an answer to the issue of the European Union's legal nature. The many stages completed by this economic and, subsequently, political construction have brought about numerous changes of substance, concerning the powers of the three original economic integration organisations (EEC, EC, EURATOM), subsequently incorporated in a multilevel system with a political governance unique in the world (the European Union), a multifaceted construction, whose powers have increased progressively both in relation to the Member States and to the organisations of economic integration (EEC, EC). During other stages, we witness the strengthening of the European Union (EU), the development of the European Community through the Lisbon Treaty (the other organisation of specific integration, the European Economic Community, having lasted a limited period of time, had already stopped to exist legally in 2002), we witness its substitution by the EU and the incorporation of EURATOM in the new EU. The evolution towards ever more coherent stages of European federalism illustrates the dynamism of this construction and

its progressive consolidation (an expression of neo-functionalism) of the EU's original nature.

Keywords: *European Union, Treaty of Lisbon, European construction, Maastricht phase, post-Nice phase, EU institutions.*

Introduction

This paper aims to identify *the historical origins and the characteristics* of the evolution of the European integration process having led to the creation and strengthening of a single political entity, whose institutional structure is characterised by originality, due to both *its* legal-political elements and to its manner of organisation and functioning, at European level, of the various legal-political elements *specific either to a state, a federation, an international organisation or a multilevel political system.*

Thus, we can state that *the originality of the EU institutions* is due both to the *specific* historical causes of the EU's emergence and to *the dynamics* of the European construction. This distinguishes the Union both from international intergovernmental organisations and from other political integration systems from other regions of the globe.

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1. Specific causes of the EU emergence as an original political entity

The European Union, as an *original political entity* (qualified by certain authors as a “multilevel political system” or “a form of post-state governance”¹) emerged on the European political arena due to several *main causes*.

The first one was the *need to boost the European construction* (represented, until the Maastricht phase, by the three international integration organisations, namely EEC², ECSC³, EURATOM⁴) *towards a new stage of development*, combining the Community method with a method of classical political cooperation⁵ (put into effect through different *intergovernmental* policies, such as *the Common Foreign and Security Policy or the JHA pillar*⁶). But these two dimensions of cooperation between Western European states (the Community dimension and the intergovernmental dimension) were *both integrated* in the architectural structure of a *new political entity* (association of states) which has become, this way, *a complex political system whose objective is regional integration*.

The first paragraph of the Preamble of the Maastricht Treaty includes this *specific cause* (free and sovereign will of the Member States of the European Communities *to mark a new stage in the process of European integration*)⁷.

1 Marcus HÖRETH, *The Trilemma of Legitimacy – Multilevel Governance in the EU and the Problem of Democracy*, in “ZEI”/Discussion Paper, C11/1998; Zentrum für Europäische Integrationsforschung; Rheinische Friedrich–Wilhelms–Universität Bonn; Germany. Helen WALLACE, William WALLACE (editor), *Procesul politic în Uniunea Europeană (Policy-making in the European Union)*, IVth edition; translated by Genoveva BOLEA; Editura Arc, Chişinău, 2004, pp. 34–35.

2 The European Economic Community

3 The European Coal and Steel Community

4 The European Atomic Energy Community

5 Charles ZORGBIBE, *Construcţia europeană (Histoire de la construction européenne)*, translated by Speranţa DUMITRU, Editura Trei, Bucureşti, 1998, pp. 343–345.

6 Justice and Home Affairs

7 David MITRANY, promoter of functionalism, makes an interesting remark (in David MITRANY, *A Working Peace System*; introduction by Hans MORGENTHAU; Quadrangle Books; Chicago; 1966; p.184), appreciating that *the common interest* (justifying “an integrationist com-

Therefore, the wording of this paragraph shows, from the very beginning, that we are dealing with a *political integration entity representing merely one of the stages of an original European political process*. Moreover, this process was qualified by certain authors as a manifestation of the neo-functionalist theory and thus it is supposed to result in the creation of a *form of post-state political governance*⁸, of a multilevel political system, in which states are no longer the exclusive holders of the political power.

This new political entity⁹, according to the EU’s founding Treaty¹⁰, must have a

plex such as the EC”) *is not clearly defined*: “in practice, when it was necessary to build up cohesive movements of national loyalty, to disinter and invent all sorts of social, historical or emotional affinities, above all to keep alive the fear of some common external danger”. Europe’s development must not be limited to an economic and political level, but, according to this opinion, it is necessary to also shape “a unity of the cultural and spiritual heritage of Europe” (which does not fit the past of Member States, dominated by conflicts).

8 Thomas DIEZ, *The Economic Community Reading of Europe: Its Discursive Nodal Points and Ambiguities towards Westphalia*; COPRI (Copenhagen Peace Research Institute); Working Papers 6/1998.

9 Some authors qualify the EU as a supranational *political* organisation, based on states that do not disappear, *a political entity based on a double legitimacy*: on the one hand, it is direct and autonomous, drawn from the European citizens; on the other, it is derived and indirect, conferred by the Member States. See Olivier DUHAMEL, *Igniting the Spirits*, *European Constitutional Law Review*, EuConst, vol. 1, January 2005, p. 13.

10 Although, up until the Lisbon phase, no article from the Treaty on European Union (TEU) makes any explicit reference to the EU’s legal personality, according to Article 24/TEU, *the EU can conclude international agreements in the field of common foreign and security policy (CFSP)*. After the entry into force of the Treaty of Lisbon, *the EU is expressly granted legal personality* (conferred by Article 46a/TEU), being given, at the same time, the ability to have recourse to *all the necessary instruments to take action at international level* [see, for instance, Article 7a (2)/TEU; Article 10A (1) and (2)/TEU; the new framework Article 11 (1) and (2); Article 12; Article 13; Article 19 (2) paragraph 3; Article 24; Article 6 (2)/TEU; Article 2B(2)/TFEU; Article 188J(4)/TFEU; Article 188L/TFEU; Article 188P/TFEU – from the conclusion of treaties, to the right to become member of an international intergovernmental organisation or the right to become a party to an international convention, up to the ability to be represented before an international jurisdiction]. The extent to which these

single institutional framework (which has led to considerable controversy as to the political entities to whom this institutional framework belongs: either to *the Communities*, since each of them would have its own legal personality and would not be expressly “deprived” of their political institutions, by the amending treaties, or, on the other hand, to *the EU*, the “user” political entity, the one “benefiting from” institutions which do not belong to it). In our opinion, since we envisage the existence of a *distinct political entity, enshrined by an international treaty* (just as the Communities) created by the same states which set up the Communities, being part of the same integration process, whose first stage resulted in the emergence of the three Communities, taking into account that “The Union shall *provide itself with the means necessary to attain its objectives and carry through its policies*” (Article F paragraph 3/The Treaty of Maastricht), we believe that *the European Union holds this single institutional framework in its own name*¹¹.

This way, once the Treaty of Maastricht (1993) and the process of European integration have entered a new phase, in our opinion, have

new opportunities *will be put to good use*, some authors say, *depends on the will of the Member States*, which might not be willing to give up their own seats in the IGOs (international intergovernmental organisations) in favour of the European Union (EU). According to Lazăr COMĂNESCU, “Constituția Europeană și rolul Uniunii Europene ca actor global” (The European Constitution and the European Union’s role as global actor), in *Revista Română de Drept Comunitar (Romanian Journal of Community Law)*, no. 2/2004, pp. 17-18. The Treaty of Lisbon (for example, by Article 188J (4) paragraph 2/TFEU) settles this matter depending on the EU’s are of competence. Thus, in the field of “humanitarian aid”, the conclusion by the EU of an agreement with competent international organisations or with third countries shall be without prejudice to Member States’ competence to negotiate in international bodies and to conclude agreements.

11 As, according to some authors (Alain Lamassoure), “there is a genuine power exercised at European level, but, in contrast, there is *no democratic system for the exercise of the European power*, equivalent to the one in force in the Member States” (aspect which the Constitutional Treaty unsuccessfully attempted to remedy). According to Alain LAMASSOURE/PPE, *La Convention: Finalité et architecture institutionnelle de l’Union – une étape clé pour une bonne gouvernance*; Conférence, débat sur la gouvernance, 11 Juillet 2002, Bruxelles.

generated a series of important consequences also for *the Community institutions*¹². If, until the Treaty of Maastricht, they had *belonged to the Communities*, once the European Union was created, *we can no longer speak about an exclusively Community legal character of these political institutions*¹³, since they belong to a new political entity and they can also function outside the Community pillar (as they have decision-making powers in the areas of CFSP¹⁴ and JHA). On the other hand, at the relevant time (before the entry into force of the Lisbon Treaty) *we supported the theory of the European Union’s implicit legal personality*¹⁵, believing that, in its absence, the Union could not have set out political objectives or other any type of objectives, or common policies and would not have been able to implement such objectives or policies¹⁶. This legal theory is verifiable

12 Some authors speak about “*much more supranationally structured institutions*” (after the TEU) “endowed with *continuously expanding autonomous powers* in relation to the Member States”, but, at the same time, they notice a “*lack of vision concerning Europe’s future, form and strategic role; the absence of a political design* able to “mobilise energies and explain to the EU’s citizens the benefits of the European construction”. According to Romano PRODI, “The European Union – A Difficult but Successful Venture”, *The International Spectator*, vol. XXXI, no. 4, October-December 1996; Istituto Affari Internazionali (IAI); Roma.

13 Some authors believe that, by the Treaty of Maastricht itself (!), *the European Union “uses the institutions and bodies of the European Communities”* in order to perform its tasks, since it does not have any express legal personality (according to Augustin FUEREA, *Instituțiile Uniunii Europene (Institutions of the European Union)*, op. cit., p. 32). According to other authors, the single institutional framework is made up, on the one hand, of *Community institutions*, made available to the other two pillars and, on the other, of the *European Council*, the only genuine institution “of the EU”. According to Roxana MUNTEANU, *Drept european, evoluții, instituții, ordine juridică (European Law, Developments, Institutions, Legal order)*, Editura Oscar Print, București, 1996, p. 108.

14 Common Foreign and Security Policy.

15 Mădălina Virginia ANTONESCU, *Instituțiile Uniunii Europene în perioada post-Nisa. O perspectivă de drept constituțional (The Institutions of the European Union in the Post-Nice Period. A perspective of Constitutional Law)*, Editura Cartea Universitară, București, 2007, pp. 445-451, 460-475.

16 Mădălina Virginia ANTONESCU, *Uniunea Europeană*,

especially from *the perspective of a historical interpretation*. This way, analysing the evolution of the European Union after the Maastricht period, one can notice the *strengthening* of its ability to set out and implement, through its institutions, European objectives and policies. Thirdly, during the phase of the Nice Treaty, we think that the *EU's presence as a distinct political entity at international level* (especially through the CFSP pillar) *has become more visible due to the increased role of certain supranational political institutions* (the European Commission, the High Representative for CFSP), meant to make it visible in international relations.

Subsidiarity (regarding the EU's power to intervene, under certain circumstances, in the domestic affairs of the Member States)¹⁷ is a principle enshrined by the *Treaty of Maastricht* and, in our opinion, it *favours the EU's legal personality* (just like the existence of a set of *exclusive or shared competences of the EU*). This legal principle cannot be explained if we refuse to acknowledge the legal personality of the EU, if we consider it to be "a fiction" (thus cancelling the *creative* legal effect of the Treaty of Maastricht, which makes up *a political union*, not another free trade area)¹⁸.

imperiile antice și imperiile medievale. Studiu comparativ (The European Union, Ancient and Medieval Empires. Comparative Study), Editura Lumen, Iași, 2008, pp. 89-90.

17 The same way as proportionality, subsidiarity is a corollary of the principle of conferral of powers to the EU, which was reiterated in the Treaty establishing a Constitution for Europe (Article I-11) and is also included in the Treaty of Lisbon, in its new Article 3b (3) and (4)/TEU (after the failure of the adoption of the European Constitution). According to François PRIOLLAUD, David SIRITZKY, *La Constitution Européenne, texte et commentaires*, La Documentation Française, Paris, 2005, p. 56.

18 The new Article B/TEU, amended by the Treaty of Amsterdam, stated that "*the Union shall set itself the following objectives*" (therefore, *not the EC* will be the ones drawing up and achieving the EU's objectives) or refers to the fact that "*the objectives of the Union shall be achieved [...]* while respecting the principle of subsidiarity as defined in Article 3b of the Treaty establishing the European Community". Accordingly, *it is not a case of a "word for word"* adoption of Article 3b/TEC (which, naturally, envisages "*action by the Community*", since we are in the framework of the TEC), but an *adjustment* of this article *to the reality*

Going beyond the Community phase, by the creation of the European Union (including the European Communities in the first pillar of its composite internal structure) required, in our opinion, *an adaptation of the legal terminology to the new political reality*. This way, the phrase "*the EU institutions*" should have been used (correctly) – when referring to the Maastricht phase and to the subsequent phases – and not the phrase "Community institutions". After the creation of the EU, these political institutions *no longer limit their scope of action to the Community pillar, but they have various legal competences in the entire multilevel political system of the EU* (except for the field reserved to the Member States).

In Article A of Title I/Treaty of Maastricht, the same idea was reiterated, reflecting this specific cause of the EU's creation ("*this treaty marks a new stage in the process of creating an ever closer union among the peoples of Europe*"). This wording is based on the idea of the setting up of a *political union* in which the integration process does not prejudice or limit the dimension of European democracy. Thus, the Union becomes one of the innovations of the Treaty of Maastricht, the other being, in our opinion, the initiation of a process for the creation of a *democracy at European political level*, able to transform the union into a complex political system¹⁹ (within

created by the TEU (the emergence of the EU). Therefore, we are merely dealing with a reference to the *legal definition* of the subsidiarity principle of Article 3b/TEC and not with the fact that *only the Community* (and not the EU) should comply with these principles through its actions. With the Treaty of Lisbon, "a new EU" is set up, replacing the European Community (but not EURATOM) and succeeds it in its rights [Article 1 (3)/TEU] and has its own objectives [Article 2(6)/TEU].

19 The authors in this field of study (for instance, Alex WARLEIGH, *European Union. The Basics*, Routledge, London and NY, US, 2004, p. 36) acknowledge that the EU is *a political entity, being qualified as a "political system with extended powers, exercised in its own name"*, which reflects an overcoming of the limits of the *intergovernmental conception* of the Union, seen as a "mere general framework", which does not exist concretely neither at legal, nor at political level. But we disagree with the intergovernmental conception, since it ignores the complexity and originality of the EU as a political system endowed with implicit legal personality (at least until the Treaty of

the meaning of Article A (2) / TEU) in which *decisions are taken as closely as possible to the citizen*²⁰. This element would distinguish the EU from international organisations *that do not involve the direct political relation between their decision-making bodies and the citizens of the Member States* – at least in the case of cooperation organisations. Only in the EU's case, due to the creation of the European citizenship under the Treaty of Maastricht, one can talk about a *direct political relation* between the EU institutions and its citizens. Therefore, *another specific cause of the emergence of the European Union* was the need of the EC Member States to go beyond the *economic* level of integration, to move towards a *political integration* (put into practice by creating the European citizenship and “the political union between Europe's peoples”, objective based on the creation and consolidation of a *representative democracy*²¹, having an impact including on the procedure of appointing the representatives of the EU citizens, the composition and the powers of the EU institutions).

Article A of Title I/TEU also emphasises the main task of the European Union, proving to

Lisbon – for example, Article 2(6)/TEU, Article 46a/TEU amending the Treaty of Lisbon).

20 Starting from this political objective of the EU, the European Commission identified *some major directions* for the implementation of “good European governance”: improving “bottom-up” involvement of actors in EU policy shaping and implementation; extending the political and legislative framework, widening the choice of instruments available to the EC in order to respond to new challenges of the European governance; clearer responsibilities for the “refocused” EU institutions, whose political role should be reviewed. According to Commission des Communautés Européennes, *Rapport de la Commission sur la gouvernance européenne (Report from the Commission on European Governance)*; Luxemburg; 2003.

21 Defined as “the political regime in which the people expresses its will through elected representatives”, a result of the development of *medieval institutions* (“gatherings” chaired by the monarch, which represented different social interests); during the English Civil War, *the first essential amendment* of the so-called “representative democracy” was operated, in an attempt to find a *Republican alternative* to the monarchical system. According to Sergiu TĂMAȘ, *Dicționar politic, instituțiile democrației și cultura civică (Dictionary of Politics, Institutions of Democracy and Civic Culture)*, Editura Academiei Române, București, 1993, p. 78.

have an original structure, with *several levels of government* (European, national, regional)²²: thus, the Union must organise, *coherently and jointly*, the relations between the Member States and their peoples. At institutional level, this translates into the Union's task of organising the political-legal relations *between the EU institutions representing the interests of the Member States and the ones representing the interests of the European peoples or the interests of the EU as such* (for instance, the Commission and its role to mediate between the Council of Ministers and the European Council, on the one hand, and the European Parliament, on the other) so that it can ensure the *effective functioning* of the entire political system.

The second cause of the *EU's emergence*, which has generated certain effects at institutional level, was set out also in the Preamble to the Treaty of Maastricht and is related to the objective of the European states *to put an end to the historical division of the European continent*²³, the past history dominated by conflicts, but also to avoid Europe's separation into two ideological blocs, as it happened during the Cold War. From an institutional perspective, this implies *the need to strengthen the existing Community institutions*, so that they can involve in the functioning of European decision-making mechanisms adapted to these needs and objectives.

The third specific cause of the EU's emergence, related to the above-mentioned first two types of causes, refer to the *EC Member States' need to strengthen the democratic aspect*²⁴ of the *economic integration construction*, so that it can ensure the continuity and legitimacy of this integration process. Thus, the Preamble to the Treaty of Maastricht includes *several references to the*

22 Liesbet HOOGHE, Gary MARKS, *Unraveling the Central State. But How? Types of Multi-Level Governance*; 87/March 2003; Political Science Series; Institute for Advanced Studies, Vienna.

23 Charles ZORGBIBE, *op. cit.*, pp. 10-11

24 A constant concern of the European Commission, widely illustrated in the various methods of implementing the “good governance” and in the ways “the Union uses the power given by its citizens”, according to the Commission of the European Communities, *European Governance. A White Paper*; Brussels, 25.7.2001; COM (2001) 428 final.

political dimension of the European integration process: the need to confirm the importance of the principles of liberty, democracy, the rule of law, respect for human rights and fundamental freedoms, to enhance further the democratic and efficient functioning of the EU institutions. Consequently, this third cause which led to the emergence of the EU refers to the *need for the democratisation of the European construction*, aspect which goes beyond both the economic phase of the integration and the stage of Community integration, emphasising the beginning of a new stage, one in which decisions must be made “as closely as possible to the citizen”.²⁵

Furthermore, according to the new paragraph 1 of Article F/TEU, amended by the Treaty of Amsterdam²⁶, *the democratic nature of the new political union*²⁷ is mentioned: it shall be founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, the rule of law, principles which are common to the Member States. Therefore, the EU’s political system is characterised, starting from the stage of the Maastricht Treaty (which created it), by a *double condition for democratic existence*: first, at the *European* level of government; secondly, at the *national* level of each Member State. At in-

25 In order to achieve this political objective, some European leaders believe that drawing up a “European Constitution” as a “new, more democratic and more legitimate legislative body”, according to Romano PRODI, President of the European Commission, *Europe: adding value, changing quickly*; London School of Economics; London, 19 January 2004; <http://europe.eu.int>.

26 Also in the Lisbon phase, this treaty expressly refers to the democratic basis of the new political construction (“the new EU”): the Preamble to the TEU; Article 1a/TEU; Article 6/TEU; Title II (Democratic principles)/TEU amending the Treaty of Lisbon.

27 It is interesting to also mention an opinion according to which the national identity of the Member States, which must be respected by the Union under the TEU, can be identified “not only in the structures and functions of the Member States, but also in certain values shared by the Union and its Member States”; regarding the nature of these values, there is still a certain controversy in the legal doctrine. See Peter G. XUEREB, *Loyalty and Solidarity*, *European Constitutional Law Review*, vol. 1, 2005, p. 18. But the Treaty of Lisbon clearly identifies these common values underlying the setting up of the new EU [Preamble to the TEU; Article 1a/TEU; Article 6(3)/TEU].

stitutional level, this translated into a *continuous need to emphasise the democratic nature of the EU institutions, the constant objective of each institutional reform within the EU*. Thus, the Treaty of Maastricht enshrined the power of legislative co-decision of the European Parliament; democratisation and the effective achievement of the European Parliament’s political control over the Commission; creating the independent political institution of the European Ombudsman, in order to defend European citizens’ rights; enshrining the principle of institutional transparency and protection of personal databases. Nevertheless, these public benefits *do not suffice* to reduce the Union’s democratic deficit or to confer a strong democratic character on the EU institutions, from the perspective of its composition, powers or manner of functioning of these institutions in relation to the Member States or directly with the European citizens.

The fourth cause of the EU’s emergence concerns the need to unify into a single political framework a series of measures taken by the Member States, adopted in the framework of intergovernmental policies on external relations, security, economics and development policies; *these policies required a single institutional framework and a unitary political structure, able to ensure the consistency of these measures* (Article C, the second paragraph/TEU, amended by the Treaty of Amsterdam).

Nevertheless, the EU’s emergence cannot be reduced to *historical and political* causes; there are a series of other *economic and social* causes or related to the need to *affirm a common security and defence policy*, which were translated into the Treaty of Maastricht, starting from the EU’s own objectives. At European institutional level, as the European integration process develops, each objective of the EU is translated into a *series of specific powers* of the EU institutions in fields such as social, economic, common security and defence, but also in other areas like the ones regarding economic and social cohesion, justice and home affairs, visas, asylum and immigration.

All these causes of the EU's emergence also reflect a certain *political-legal profile of its institutions (which cannot be assimilated to state bodies or the bodies of an international intergovernmental organisation, given the composition, powers, the manner of appointing members, the legal acts adopted or to the decision-making processes taking place within each of these institutions).* This political-legal profile reflects the idea that we are dealing with political institutions which are *the result of a completely original process of European integration, which cannot be imitated on other continents, precisely due to the fact that it is based on causes and needs specific to Europe, that cannot be transposed *tale quale* in other areas.*

Although *some of the causes* leading to the creation of political integration systems such as the EU on other continents *are the same* as in the case of the EU's emergence (for instance the need to extend democracy to another area; the need to avoid political disputes or military conflicts between states, through a progressive and sectoral integration of the Member States' national economies), each process of regional integration will nevertheless have *its own characteristics*, which are the expression of a unique evolution.

2. The dynamics of the European integration process, an illustration of the EU's institutional originality

Each stage in the evolution of the European construction (from the creation of the three European Communities to the Nice moment) produces certain *effects* at European *institutional level, enhancing the originality of the EU institutions.*

Thus, *the Community stage* is distinguished first of all by the establishment of the *fourth Community principles taken from the Schuman Plan and adapted to the Community treaties*²⁸, principles underlying the organisation and functioning of the institutional framework (*the*

28 Augustin FUEREA, *Drept comunitar european. Parte generală (European Community Law. General Presentation)*, Editura All Beck, București, 2003, pp. 66-68.

superiority of the Community institutions, since they are created with a view to participate in the creation and development of a supranational Community of law; *the independence* of the Community institutions; *the cooperation* between institutions – they are not organised according to a *de jure* institutional hierarchy; *equality* between states, a consequence of their sovereign nature, translating into the principle of equal rotation of the Presidency of the Council of Ministers, as well as into the right of each state to be equally represented in the Commission, an institution endowed with substantial decision-making powers).

Also during the Community stage, through the Treaties of Rome establishing the EEC and EURATOM (1957) *the powers of the Parliamentary Assembly were extended* (as its members will be elected by direct universal suffrage); at the same time, in our opinion, there has been an *evolution of supranationality*, as the *majority vote* within the Council was established. From an institutional perspective, this stage comprises several innovations: the creation, in 1958, of a single Court of Justice; the existence, in parallel, of three distinct institutional systems, belonging to the three Communities (each of them having an intergovernmental Council, as a decision-making institution; an institution with executive powers – the Commission; a deliberative political institution – the Assembly; a Court of Justice, as a judicial institution).

The second stage consists of the institutional unification, which took place in 1960, when, by the unification of the three Assemblies of the three Communities, the Parliamentary Assembly²⁹ was set up; subsequently the Treaty of Brussels of 8 April 1965, which entered into force on 1 July 1967, operated an *overall institutional merger*³⁰: thus, at decision-making level, a *single institution (the Council)*, common to the three Communities, was set up; at executive level, the European

29 Gilles FERRÉOL, (coord.), *Dicționarul Uniunii Europene*, translated by Iuliana-Cristina Doboș, Polirom, Iași, 2001, p. 120 (*A dictionary of the European Union*).

30 Pierre MATHIJSEN, *Compendiu de drept European*, VIIth edition, translated by Viorica Alexandru, Mihaela Dumitrescu, Editura Club Europe, 2002, p. 15 (*A guide to European Union Law*).

Commission was set up as a single political institution; at the same time, a single Community administration was created, a single budget of the Communities was set up and a single statute of the Community civil service was established.

A new stage in the evolution of the European integration process, which brings new elements as regards the institutional framework, has begun after the entry into force of the Single European Act (on 1 July 1987), whose Preamble provides for “[the] transform[ation of] relations as a whole among [Member] States into a European Union”, thus prefiguring a future European political entity. At the same time, the European Council is institutionalised, whose existence was based only on the political communication of the Heads of State and Government of the Member States of the three Communities, who participated in the Paris Summit of October 1974. The Council’s qualified majority voting is extended. The consultation of the European Parliament by the cooperation procedure in the European decision-making process is strengthened. The setting up of the Court of First Instance is foreseen. Moreover, it is decided that the Presidency of the political cooperation shall be ensured by the state holding the Presidency of the Council of the Communities, as a confirmation of the previous practice, and a political secretariat is also set up, having its headquarters in Brussels³¹.

Mentioned in the Single European Act as an objective of the Member States, the European Union, as a *distinct political entity*³², is set up by the Treaty of Maastricht (in force from 1 November 1993).

The beginning of this phase of the European integration process *has important consequences at institutional level*, implicitly illustrating *the original path* which the Member States, by their sovereign will, managed to establish for the EU’s evolution and its institutional framework. Thus,

31 See including the role of the EUA in strengthening and legitimising *the European political cooperation*. According to Clive H. CHURCH, David PHINEMORE, *The Penguin Guide to the European Treaties. From Rome to Maastricht, Amsterdam and beyond*, Penguin Books, England, 2002, pp. 36-37.

32 Alex WARLEIGH, *op. cit.*, p. 36.

the Treaty of Maastricht provides the following: *the Council’s role of adopting the guidelines of the economic policies of the Member States and of the Communities and its role of monitoring the evolution of economy in each Member State and in the Communities*; the Communities’ competences in the framework of the political union³³; an increase of the European Parliament’s role (by the co-decision procedure).

Nevertheless, the most numerous and important changes at European institutional level were those brought during the *Amsterdam (1999) and Nice (2003) stages*.

Thus, the Treaty of Amsterdam repealed the 1965 treaty merging the executives, without prejudice to *its essential effects*³⁴ (the single institutions for the three Communities were maintained). The Council was allowed to have a *specific competence*, by the amendment of Article 7/TEU, *to find serious and persistent violations of the principles referred to in Article 6(1)/TEU and to suspend the exercise by the offending states of certain rights resulting from the treaties*. The jurisdiction of the CJEU³⁵ is extended in the new Title IV (“Visas, asylum, immigration and other policies related to free movement of persons”). Moreover, a Protocol on the institutions is annexed to the Community Treaties and to the Treaty of Maastricht, in view of the EU’s enlargement, modifying, after the first EU enlargement, the Commission’s composition, while establishing a new voting weigh within the Council.

The Treaty of Nice, subject to the need to enlarge the EU and, therefore, to institutional reform, introduces *new and important legal and political changes* concerning the powers, composition, the appointing method, the rules for the decision-making process of the EU institutions³⁶. This way, the Treaty provides

33 Jordan Gheorghe BĂRBULESCU, *Uniunea Europeană, aprofundare și extindere*, Cartea I – *De la Comunitățile Europene la Uniunea Europeană (The European Union, Deepening and Enlargement, Book I – From the European Communities to the European Union)*, Editura Trei, București, 2001, pp. 212-213.

34 Augustin FUEREA, *Drept comunitar (Community Law)*, *op. cit.*, p. 81.

35 The Court of Justice of the European Union.

36 John FAIRHURST, *Law of the European Union*, Pearson Education Limited, Pearson and Longman, Essex, UK, 2006, pp. 26-27.

for a maximum number of MEPs, up to 732, and a new distribution of seats in the European Parliament (Germany being the only state that maintains its number of MEPs, within a Union enlarged to 27 members). At the same time, the Council *is endowed with the power to approve the status of the members of the European Parliament by qualified majority* and to establish (by co-decision) the status of political parties at European level (which illustrates, in this context, the *de facto* prevalence of this intergovernmental political institution in the EU's institutional framework). A maximum number of 345 votes is established for the Council of the European Union and, if a decision is made *by qualified majority*, any Member State can ask for a *verification of compliance* with the condition that the Member States constituting the qualified majority represent at least 62% of the total population of the EU (if it is found that this condition was not met, the decision cannot be adopted).

As regards the *European Commission*, the requirements to improve the effectiveness of *this executive institution* (if we refer to one of its essential functions) called for the establishment of a *threshold of representation in stages*: “thus, after the EU enlarges to 27 Member States”, as provided for by the Treaty of Nice, the number of Commissioners will have to be *smaller than the number of Member States*, based on a system of equal rotation. Moreover, it is emphasized the *Commission's supranational nature*, given the election of the President and members of the Commission *by qualified majority*; *the powers of the President* of this political institution *increase*, in the sense that the President may ask (with the approval of the College) a commissioner to resign or can appoint Vice-Presidents of the Commission³⁷.

At the level of the Court of Justice and the Court of First Instance (CFI), other changes are made during this phase: *judicial chambers* within the CFI are set up, specialising in certain fields such as intellectual property or European civil service. CFI has important powers such as: solving

actions for annulment, proceedings for failure to act, actions for damages, actions related to the civil service³⁸, actions based on an arbitration clause, as well as giving *rulings on preliminary questions in specific fields (innovating role of the CFI)*. There are also important changes concerning the Court of Auditors or consultative bodies such as the Committee of the Regions and the Economic and Social Committee, in the sense that their political influence is strengthened and a channel for a permanent communication between the European level of government and the regional one is ensured. Moreover, the improvement of the cooperation between the Court of Auditors, as an EU specialised institution, and similar national institutions (including by setting up a Liaison Committee with the Directors of the Courts of Auditors in the Member States).

During the Lisbon phase, a significant part of the text of the draft Constitutional Treaty was taken, supplemented with numerous innovations related to the dimension of the EU's competences, its legal nature and its institutions (marking a significant development towards the federalist phase, in our opinion).

All these continuous changes of the EU's institutional framework illustrate *the dynamics of the European integration process*, the fact that this institutional framework has always been considered *to be flexible enough to meet the functioning needs of a constantly enlarging Union*.

Therefore, the original legal-political nature of the EU's institutions *partly* stems from the fact that *they are not rigid and unable to change structures*. On the contrary, these political structures *progressively* reveal their originality, *through the innovating elements they include during each phase*, starting from the establishment of the Communities up to the

37 Augustin FUEREA, *Manualul Uniunii Europene (Guide to the European Union)*, Editura Universul Juridic, București, 2006, pp. 64-71.

38 *Idem*, p. 117; it should be mentioned that, by EU Council Decision of 4 November 2004, a *European Union Civil Service Tribunal* is set up, as a new specialised court, including in its competences the settling of cases involving the European Union civil service; its decisions may be challenged before the Court of First Instance (CFI) and only exceptionally before the Court of Justice of the European Communities (CJEC).

Nice moment, *but also from the simplification of the institutional functioning* (by extending co-decision; by extending qualified majority voting) destined to ensure their effectiveness and legitimacy (for instance, by associating the *European Parliament*, on an equal footing with the Council, regarding the European legislative process).

3. The original legal nature of the European Union, a cause of the originality of the EU institutions

Another cause of the fact that European Union's institutions have an original legal-political nature not only in relation to the bodies of a state, of a federation, of an international organisation, but also in relation to the very political system they belong to, is the original legal nature³⁹ of the entity called "the European Union".

Thus, according to the Treaty of Maastricht/1993 establishing this political entity, the EU is based on *three international integration organisations*⁴⁰, namely the European Communities (n.b. – after the 50 year –period of the ECSC Treaty expired, only two of these organisations remained in the structure of the EU, namely the EEC and EURATOM⁴¹), as well as a series of intergovernmental policies organised in other two pillars (common foreign and security policy; police and judicial cooperation in criminal matters, after the amendment of Title VI – JHA by the Treaty of Amsterdam). This way, *the cooperation between the EU and the Member States is achieved by the Community pillar*, while the *intergovernmental pillars* reflect a materialisation of the EU's objectives in these sectors only by the use of political *cooperation instruments by the Member States* (the setback of *integrationism*, within these two pillars,

39 Jean Marc FAVRET, *Droit et pratique de l'Union Européenne*, Gualino, Paris, 2001, pp. 37-39.

40 *Idem*, p. 26. Roxana MUNTEANU, *op. cit.*, pp. 70-72.

41 The Treaty of Lisbon sets up *de jure* a new EU, founded on two treaties (the Treaty on European Union and the Treaty on the Functioning of the European Union), whereby the EU replaces and succeeds the European Community – Article 1(3)/TEU (but EURATOM remains in force, incorporated into the structure of the new entity).

according to certain opinions)⁴².

Legal controversy related to the legal nature of the EU begins to emerge from the moment when a legal analysis of the nature of *the European Communities* is undertaken. Thus, *there are different opinions* in the legal doctrine *concerning the legal nature of the Communities*, which makes up the first pillar of a unique political system on the international arena. Thus, *they did not achieve the confederal phase, but they managed to go beyond it*⁴³ (as they do not have the ordinary competences of a confederation, such as the foreign and defence policy, but they have a single currency, their own institutional system, a decision-making method by majority vote, European citizenship and a Parliament whose members are elected directly by the European citizens).

*But the European Communities are not "confederative associations of states", as they have certain features that make them similar to international integration organisations*⁴⁴, as international legal entity, *distinct* from states and unions of states (including the confederation); *the independence and superiority* of their political *institutions* in relation to the Member States (especially through the legally binding status of the acts adopted by these European institutions, which are imposed on the Member States and directly included in the national legal order); *the supranational and integration legal nature of the Community law*; within the Communities, there is a scheme for the distribution of powers *similar to the scheme applicable at State level*, implying that (legislative, executive, judicial) powers are *exercised, in certain cases, in the place of State bodies, on the Member States' territory and*

42 According to some authors, CFSP is a common policy of the EU and its Member States, while JHA is first and foremost a cooperation *between the Member States*, an opinion based on the criterion related to the extent of involvement of the two types of political actors (the Member States and the EU institutions), according to Roxana MUNTEANU, *op. cit.*, p. 108.

43 François PRIOLLAUD, David SIRITZKY, *op. cit.*, pp. 33-34.

44 Pierre PACTET, *Institutions politiques et droit constitutionnel*, Armand Colin, Dalloz, 2002, avec la collaboration de Ferdinand Melin-Soucramanien, p. 61.

concerning their citizens⁴⁵.

Consequently, such arguments make us believe that *the three Communities*⁴⁶ are rather *supranational organisations* (or integration organisations, according to certain opinions) than confederations or international *cooperation organisations* (in which the activity of the main and subsidiary bodies is *a specialised one, strictly limited* to the scope of the powers conferred by the Member States by the organisation's articles of association⁴⁷). Moreover, cooperation organisations do not include "dimensions of advanced economic integration", such as the common market, and the decisions adopted by the bodies of such an organisation do not have the legal value of "direct effect".

The same arguments can be used to counter certain opinions which maintain that the nature of "*federal state*"⁴⁸ of the European Communities (which would mean that the legal order and the status of the Communities should be regulated by a "constitution" and not by an international treaty, and the Member States would lose their quality of legal entity in favour of the Communities, aspects that do not reflect the actual state of affairs). Moreover, we should be noted that, unlike the federal state, *the Communities do not have the*

*general power to establish the distribution of competences between them and the Member States*⁴⁹ (from this perspective, the Communities are similar to intergovernmental organisations).

Lastly, according to other opinions⁵⁰, the Communities are characterised as "*common public powers, independent from state's public power*". This is a legal current which acknowledges that the Communities exercise *state-like powers* (especially in the legislative field), but in a political framework *superior to states* (which distinguishes them from a public service). Nevertheless, the powers conferred by the Member States on the Communities *are not abandoned by the states* (denial of the hypothesis of the "transfer of competences"), but they are *exercised in common*, through the Community institutions.

But this is a point of view that we cannot embrace, as it limits to a great extent the consequences and the integration nature of the Communities. The Communities were created by the Member States' sovereign will to "transfer" to a superior level of political government⁵¹ certain competences (the theory of the "cluster of competences") exercised by the Community institutions as representatives of the Member States (the Councils), of the Communities as such (the Commission), of the peoples of Europe (the European Parliament). It cannot be stated

45 Augustin FUEREA, *Drept comunitar (Community Law)*, op. cit., p. 32.

46 As the Treaty establishing the European Economic Community (EEC) signed in 1957 expired, this integration organisation ceases to exist legally on 23 July 2002. The "newly created EU", through effect of Lisbon Treaty, is replacing the European Community, without affecting the existence of EURATOM (as distinct, sectorial organization of integration), that is added to the newly formed political-economical entity, without cease of its juridical personality. See Jordan Gheorghe BĂRBULESCU, Daniela RĂPAN, *Dicționar explicativ trilingv al Uniunii Europene (Trilingual dictionary of the European Union)*, Iași, Editura Polirom, 2009, pp. 216; 722-725.

47 Raluca MIGA-BEȘTELIU, *Organizații internaționale interguvernamentale (International Intergovernmental Organisations)*, Editura All Beck, București, 2000, pp.16-17.

48 See the analysis of the EU's legal nature and the arguments justifying the opinion that the EU is not a "federal state", in Philippe MANIN, *Droit constitutionnel de l'Union Européenne*, Pédone, Paris, 2004, pp. 66-67. For information on the legal arguments arguing in favour of the EU as a "federal state", see François PRIOLLAUD, David SIRITZKY, op. cit., p. 33.

49 Some authors believe that the European Union does not have the "competence of competences", as it depends on the will of the Member States to establish the legal regime; see Simina TĂNĂSESCU, "Despre autoritatea constituțională a unui tratat European" (On the Constitutional Authority of a European Treaty), in *Sfera Politicii*, nr. 120-121-122/2006: *Uniunea Europeană: structuri și așteptări (The European Union: Structures and Expectations)*, p. 19; regarding the constitutional phase, the author believes that Article I-59/the Constitution, which at that time enshrined the *Member States' right to unilaterally withdraw from the EU* (document taken to a large extent by the Treaty of Lisbon), in fact gives credit to the idea that the EU does not have "the competence of competences". The Treaty of Lisbon (which, after its entry into force, establishes the Member States' right to withdraw from the EU, by Article 49a/TEU) confirms the opinion cited above.

50 See Augustin FUEREA, *Drept comunitar*, op. cit., p. 33.

51 This is also true for the UE (see extensively Philippe MANIN, op. cit., p. 69).

that these political institutions of integration would be similar to the bodies of a *cooperation* international organisation, since they exercise *their own public power*⁵², *supranational in nature*, which is imposed to states and their citizens *precisely by virtue of the existing “transfer of state powers”*⁵³. At best, we can accept that we are dealing with “*European public powers*”, that is *supranational powers*. But it would mean to ignore the superiority, the legal and political independence of the Communities’ institutions in relation to the Member States (the EC institutions are not mere forums of cooperation between states, but they have their own decision-making powers which they exercise at *the European level of government*, as their decisions have *unique supranational legal consequences*: direct effect, immediate applicability, precedence over the national law of the Member States).

Since the European integration process has entered *a new phase* (Maastricht/1993) and after the emergence of the European Union, *the Communities are included into a new political structure, alongside intergovernmental policies*. During this phase, the *single institutional framework of the EU* is established, by which the EU institutions are granted competences not only in the Community pillar, but also decision-making powers in the field of CFSP and JHI (*the Council, the European Council or the Commission are EU institutions* and not “bodies of an international cooperation organisation” which could only reflect states’ will).

The Treaty of Lisbon (in force since 2009) and the new stage of integration initiated by it establish “a new European Union”, with a double conventional basis (the two treaties, TEU and

TFEU), the European Community disappears (integration entity replaced by the EU, succeeding it as concerns the legal rights and obligations, which is why the new EU expressly undertakes the integration nature of the EC) and EURATOM remains incorporated in the new architecture. During this stage, the Union’s integration nature, as a political and economic entity, is substantially enhanced, both concerning its competences and its multiple ways of cooperation with the Member States, its interference in numerous areas of competence which traditionally belong to the Member States, in strengthening the powers of its institutions and providing a legal framework for the setting up of new agencies and bodies (the European Public Prosecutor’s Office, the European Voluntary Humanitarian Aid Corps, the European External Action Service, etc).

Conclusions

The European Union has been, *ever since its emergence, a complex, multilevel political system* that has generated endless controversy regarding its legal-political nature. *Its Uniqueness*⁵⁴ at international level and in relation to all types of existing models of political organisation is one of the causes which implicitly led to supporting the theory of *the originality of its political institutions*. Once the Communities have entered into the new political system, this evolution of the European integration has had legal and political consequences also at institutional level: thus, the *Communities’ institutions entered a new phase of evolution (post-Maastricht, but also post-Lisbon), becoming the single institutions of an entire multilevel*⁵⁵ *political system*. In our opinion, these political institutions are no longer specific to the Communities, *although they do not lose their Community legal-political nature, but they belong to the EU’s political system*. Nevertheless, *they are able to function inside any of the EU’s pillars, within the Community one, as well as within the other two intergovernmental pillars, without losing their character of “EU*

54 Philippe MANIN, *op. cit.*, p. 70.

55 Vivien A. SCHMIDT, “European Federalism and its Encroachments on National Institutions”, *Publius, The Journal of Federalism*, 29 (1), p. 22.

52 Also see Ion ANGHEL, *Subiectele de drept internațional (Topics of International Law)*, Editura Lumina Lex, București, 2002, pp. 153-158. The *Rome Declaration*, for example, speaks about an “apportionment of powers between the Union and its Member States” or “the Union’s powers”, extended to new areas, according to V. Giscard D’ESTAING, *Rome Declaration*; Rome, 18 July 2003; The Chairman; The European Convention. See Alain LA-MASSOURE, *op. cit.* (Conférence, débat de la Gouvernance, 11 Juillet 2002).

53 Ion ANGHEL, *Subiectele de drept internațional*, Editura Lumina Lex, București, 2002, p. 157.

institutions” (that is institutions which are part of the political system as such, not belonging exclusively to one pillar). Although some of these institutions *were created in the Community phase* of the European integration process, *they cannot be forever regarded as “the Communities’ monopoly”*. *We cannot confuse these dynamic political institutions, each one having its own evolution, being subject to countless legal and political reforms made by each amending treaty, with a single stage which cannot be transcended, namely “the Community stage” (in which, regardless of the EU’s emergence, it is rigidly considered that these political institutions belong to the Communities, the Union holding only a “right to use”⁵⁶ them)*. But, this would imply the drawing up of a historical classification of the entire evolution of the European integration, *depending on the prevailing political entity: “the Community stage” (in which the Communities are the only existing international integration organisations; after the EU’s emergence, they remain the prevailing political entities, the legal personality of the Union and, therefore, its legal capacity to possess its own political institutions being denied) and, on the other hand, “the EU stage” (in which, once created, the EU political system is the one including the Communities, thus proving that it is not a legal fantasy, nor an abstract entity; during this phase, the Community institutions become the EU institutions, belonging to the system as such and not only to the Communities*.

Secondly, we cannot agree with the fact that the EU is simply a political entity that “uses” the single institutional framework⁵⁷, since this

⁵⁶ Regarding the single institutional framework of the Union, some authors think that *only the European Council can be considered “an EU institution”, the others being Community institutions* (using the criterion of the express legal personality of the Communities), according to Roxana MUNTEANU, *op. cit.*, pp. 107-108. Other authors hold that there are “Community institutions and institutions of the Union”, without a clear distinction being made between the two “types of institutions” (arguing that “the Community institutions are common both to the Communities and to the Union, whose institutional framework is not distinct from the Community one”), according to Jordan Gheorghe BĂRBULESCU, *op. cit.*, p. 120.

⁵⁷ Augustin FUEREA, *Drept comunitar, op. cit.*, p. 35. According to other authors, *the EU does not have its own*

would express, in our opinion, *the superiority of the Community pillar over the entire multilevel political system of the EU*, as well as the refusal of the supranational and integration nature of the EU political system (according to this perspective, *only the Communities* possess such legal and political characters, but *not the Union*). On the other hand, as a “user” of the Community political institutions”, the EU political system should represent merely *a phase* in the European integration process (the EU being obliged to “return” to the Communities the political institutions *used* by it as a “bare owner” at the level of the entire system, after its disappearance and once the European integration process passed to the next phase). But this is absurd, as *it creates a major discrepancy between the Communities and the Union, due to political institutions: thus, the Community phase would never end, it would be a dimension of the European integration process which refuses to replace the Communities with another entity or their assimilation into a new EU⁵⁸*. This would lead to a paradoxical situation of setting up a *new political entity* (by a European construction or an international treaty) or *promoting intergovernmental policies* (CFSP, for instance) *without bringing them together under one political umbrella, while the Communities would remain outside the scope of reforms, preserving their institutional framework unchanged*.

In such a situation, the paradox could continue, as it would imply that “*the Community*

institutions, the Commission and the Council of Ministers having become common institutions of the EU and the Communities, like the European Parliament and the European Council. See Jean Claude MASCLET, Dès Communautés Européennes à l’Union Européenne, in Dubouis, Louis (sous la direction de), L’Union Européenne, Les notices de la Documentation Française, Paris, 2004, p. 10. We do not accept that argument (ex ante the Treaty of Lisbon); if we did, we would reduce the Union, as a complex political system, which included the Communities in its first pillar, to a mere “general framework”, without its own political existence, distinct from the Communities, including at institutional level. After the Treaty of Lisbon entered into force in 2009, the Union was granted express legal personality and its own single institutional framework (Article 9/TEU and Article 46a/TEU).

⁵⁸ Which did happen after the “new EU” was created by the Treaty of Lisbon/2009.

dimension” of the European integration process remained inflexible, closed to any reforms (including as regards political enlargement, since the Communities have a specialised, economic nature), while the Community institutions would be flexible, having been subject to amendments made to enable them to function at the level of the entire EU political system.

Since the Community pillar only reflects one dimension of the EU political system, we cannot embrace the theory resulting from the above-mentioned ideas (the Communities, as “bare owner” of political institutions, illustrating a situation of political and legal “superiority” over the system they are included in). The Union has an original legal nature, its own political and legal identity⁵⁹, which does not allow for the assimilation of this political system to any of the existing models of political organisation. The European Union has a complex legal-political nature⁶⁰ (its internal architecture is made up of integration organisations, various regional or integration agreements, from the creation of the euro area to the Schengen Area, to association agreements or privileged partnerships with certain areas, for example with ACP States or with overseas departments).

We can state that the EU represents in fact a “system of government without any government”⁶¹, aspect ignoring the dynamic nature of the European Commission, considered to be a real supranational government, proof of the fact that certain state influences were adopted in the EU’s manner of organisation. It is true that, in the current phase, the Union does not have its own mechanism of allocating competences⁶², as its powers continue to be of a derivative nature (delegated by states), which is a counter-argument for a potential federal character of the EU.

59 François PRIOLLAUD, David SIRITZKY, *op. cit.*, pp. 33-34.

60 Philippe MANIN, *op. cit.*, p. 53. Jean Claude GAUTRON, *Droit européen*, Dalloz, Paris, 1999, p. 79.

61 Paul HIRST, Grahame THOMPSON, *Globalizarea sub semnul întrebării. Economia internațională și posibilitățile de guvernare (Globalization in question: the international economy and the possibilities of governance)*, translated by Laura DRAGOMIR, Editura Trei, 2002, p. 322.

62 See Clive H. CHURCH, David PHINNEMORE, *op. cit.*, pp. 12-13.

But, in our opinion, the European Union maintains its original legal-political nature, irrespective of the existence of a legal personality or a “competence of competences” (the state or federalist perspective). Due to the fact that, ever since its emergence, the European Union could not be assimilated to any existing model of political organisation, its political institutions have an original nature merely by virtue of the fact that they belong to and function in the framework of such a political system.

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THE AUTOPOIETIC MODELLING OF THE NATIONAL SECURITY STRATEGY

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Confronting reality with the model of analysis of national security applied in Romania's National Security Strategy (2007) in which risks, threats and vulnerabilities are taken into consideration, manifests a series of limitations, given the fact that many situations, processes, phenomena cannot be included in the conceptual framework that represents its basis. Consequently, we propose a manner of analysing security from the perspective of an autopoietic system. The model proposed by us is based on the identification and definition of security opportunities setting off from the analysis of risks, vulnerabilities, threats and dangers to national security. Our analysis redefines the relation between risks, threats and vulnerabilities proposed by B. Buzan and completes it with a new element: dangers. The autopoietic characteristic of the model derives from the fact that the analysis of the four components becomes the defining source of the security opportunities, so that the negative effects of the insecurity sources could be converted into positive effects. The autopoietic modelling and analysis of the risks, vulnerabilities, threats, dangers – opportunities (RVTD-O) type can represent a productive instrument, capable of establishing truly objective relations between the specific premises and goals of a national security strategy.

Keywords: *security strategy, risks, threats, vulnerabilities, dangers, opportunities.*

Introduction

When the need for security is analyzed, the issue of establishing certain strategic directions that will guide the future of a state for “more” security is fundamental for the researchers in this field. At the same time, the preoccupation for a clear definition of elements characterizing security represents a major problem for the decision makers in the field of security. The modelling of the process of generating the strategic directions of national security becomes, in our view, one of the most determining assumptions for the formulation of a possible security strategy. This importance is firstly conferred by the existence of mutual relations and influences between the actors and the security environment and their actions. In this continuous dynamic decision makers have to identify the disturbing factors that act upon national security and act in order to eliminate or diminish the negative effects. It thus becomes necessary to achieve a model capable to adapt and, at the same time, to generate *national security strategies* through instruments that are as objective as accurate and as fully structured

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as possible, with the purpose to manage the *future possible situations* for the respective state, a model capable of showing both the possible directions of evolution of the vectors leading toward “less” security and also the directions of evolution toward “more” security, directions that will lead to the achievement of the state’s *own levels of aspiration*.

The subordination of decisions regarding security of human will – hard to control and anticipate – doubled by the possibility of occurrence of unpredictable events that can change a community’s security evolution obliges the political leadership to become engaged in the struggle with the possible negative evolutions of the national and international events through by *developing security strategies*. Any state’s national security strategy is one of the integrating strategies for all the other strategies that the state can generate.

To this end, we intend to find and offer a new approach to the concept of security, capable to provide a framework as complete and as adequate as possible for the construction of a national security strategy. The approach to security from an *autopoietic* perspective – a system that self-defines and re-uses its structural elements and the sense of the structuring without the need for external interventions – will be carried out by comparing the model and the modelling that we propose with the model and modelling on security proposed by the School of Copenhagen. We hope that we will be able to show the limits of this approach and to convincingly justify ours.

1. The National Security Strategy – conceptual clarifications

The term “strategy” comes from Greek, being composed of “*stratos*” – “army” and “*agein*” – “leader”. During Antiquity, the term designated an ensemble of ideas and individuals involved in the “leadership of the army”. The meaning of the term transformed, in time, and acquired a larger meaning during the XXth century¹. In order to

¹ In the V-IV centuries BC, the Athenian General Xenophon refers to strategy in its work *Cyropedia*, giving it the meaning of “science of the commander in chief”

lay the fundamentals of the basic elements used in this approach, we will consider the first meaning assigned to the word “strategy” by any dictionary as the art of using all the available means in order to ensure the success of an activity. More particularly speaking, the national security strategy represents the art of using all the available means in order to ensure security (in the sense given by the “more” security vector), a state which will ensure the achievement of the long term goals and objectives of a state. The national security strategy defines a singular and unique vision of the state on the way in which it understands to use the political, economic, social, natural and military resources in order to ensure a climate characterized by the limitation/elimination of the dangers that threat its structural elements and its population. The national security strategy establishes the commitments of the state through the configuration of the resources at its disposal in a competitive environment in order to satisfy the needs of the citizen. Seen as a fundamental working document, the national security strategy will have three major characteristics necessary for laying the fundamentals of its proposed courses of action:

- cognitive – its content is based on scientifically based analyses;
- prospective – its assumptions are capable of characterizing the future security environment;
- organizational – its prescriptions offer directions of action for the protection of national interests.

through which all the means necessary to obtain victory are managed. At the beginning of the XIX century, Napoleon Bonaparte defines strategy as the “art of war”. During the same century, the foundations of the military art are laid. In the XXth century, the meanings of the term multiplied. Liddell Hart makes a distinction between *military strategy* – the art of distribution and application of military means for the achievement of political goals –, having a more narrow sphere, and *grand strategy* – which has the role to coordinate and guide all the resources of a nation or group of nations to achieve the political objective of the war. In the *American Encyclopedia*, the term is defined as the “art and science to develop and use the political, economic, psychological and military forces of a nation, both at peace and at war, in order to provide the maximum of support to politics”.

In the practice of states, the fundamental document that makes reference to assuring the citizen's security has the following forms: the *National Security Policy*, the *National Security Strategy* or the *National Defence Strategy*. These forms represent the way in which the state ensures the defence and security of the country and its citizens. Iulian Fota sees in the last two forms "political framework elements achieved at the level of the executive and promoted by its head, president or prime minister"². The same author also makes a distinction between the two forms, explaining as well the existence of both documents at national level: "The *Defence Strategy* means the concentration of attention on the process, while the *Security Strategy* means the concentration of attention on the final result, that is on the achievement of national security, defined by the absence of threats as a result of the correct management of risks"³. From the point of view of a defence strategy, we believe that the achievement of a certain degree of security also requires the existence of other strategies in fields, such as the economic, social or ecologic ones.

At national level, the *National Security Strategy* is elaborated on the basis of Law 473 of 4 November 2004 on defence planning. The strategy covers a medium term period of five years and it also contains some long term provisions for the achievement of national and collective security and defence objectives. This law also includes elements that compose the strategy:

- the definition of national security interests and objectives;
- the evaluation of the international security environment;
- the identification of potential risks, threats and vulnerabilities;
- ways and directions of action for ensuring Romania's national security.

Romania's National Security Strategy, adopted by the Supreme Council for the Country's Defence through its Decision no. 62 of 17 April 2006, mentions that the "national security strategy

represents an integrating factor of synthesis; it is operationalized through an ensemble of decisions, plans, measures and actions meant to efficiently prevent and counter the risks and threats that endanger the national values and interests, as well as the values that give identity and unity to the European construct"⁴.

Within this approach, we consider that, for the achievement of security interests that should be mentioned in a national security strategy, we need more than to "counter" risks and threats, and that the autopoietic modelling of national security represents a more than adequate approach to assert and pursue the interests of a state. For this reason, we will proceed now to the development of the model that we propose, making, at the same time, a comparative analysis of the elements and consequences of the Copenhagen security model, and also a critical analysis of the definition of risks, threats and vulnerabilities within this paradigm.

2. Risks, threats, vulnerabilities, dangers – opportunities

Most often and in the widest sense, *security* is understood as the lack of danger in a holistic framework, where defence is conceived as a component of security. The idea to create a security strategy suggests a strong connection between present and future, between the state existing *now* and a possible state anticipated in the *future*, which will conserve *security*. This connection, the security strategy is the element of continuity which lays at the base of the assurance of the development of the state and at the basis of the protection of its existence and interests. More exactly, the prospective character of the security strategy mentioned above obliges to predict the possible future states of the system departing from already existing elements, which in fact are reconfigured, indicating a fourth characteristic that is inherent to a security strategy (see above), at least in our opinion: the *autopoietic*

² Iulian FOTA, *Ce este o strategie națională de apărare sau securitate?*, www.euractiv.ro, accessed on 20.09.2013.
³ *Ibidem*.

⁴ Strategia de Securitate Națională a României, 2007, pp. 7-9, www.presidency.ro, accessed on 20.09.2013.

*characteristic*⁵ (described through the products of prediction – estimations, prediction/prognoses and scenarios). At the same time, the autopoietic characteristic allows for the redefinition of the connections between national interests on the one hand and threats and vulnerabilities on the other hand, in the process of achievement of security, making thus the passage from the stipulative field of strategic prescriptions to the practical-applicative field of the conducted research. It can be stated that the security strategy will thus become the instrument through which the analysis groups and the political leaders will transpose their complementary visions on the reality and virtuality of the current and future security environment.

Barry Buzan made the first truly profound analysis of concepts in his paper „*Peoples, states and fear*”. He describes the relation between risks, threats and vulnerabilities on the one hand and security on the other hand. From the very beginning of the paper, the author tried to suggest that the traditional thinking on security had a limited fundament⁶. B. Buzan emphasizes that in its paper he wants to analyze more than the idea of security in itself or the empirical conditions that are at the basis of the formulation of the security policy⁷. He mainly tries to offer answers to various questions of an empirical or philosophical nature. Among them are the following: What does security represent in a general sense? How is it offered to specific entities? Which is in reality the object of reference of security when we speak about national security? What does international security represent? Is international security specific to an entity superior to the state? Is the security that appears between states an undivided phenomenon?

The author explains every situation mentioned above, stating that this concept of security comprises contradictory elements which, in case

5 The autopoietic systems have, in Niklas Luhmann's view, the following characteristics: *autonomy; individuality; limits exclusively specified by the operations of the system in the process of self-reproduction; without input or output.*

6 B. BUZAN, *Popoarele, statele și teama*, Editura Cartier, Chișinău, 2000, p. 25.

7 *Ibidem*, p. 26.

of misunderstandings, can lead to confusions and errors. Among the most important meanings of the phenomenon are the ones that constitute the object of individual and national security. Analyzing the specialty literature⁸, Barry Buzan concludes that national security, in its general sense, is synonymous with the lack of threat, while international security means the capacity of states to maintain their independent identity and their total functional integrity. B. Buzan considers that security refers to survival, but it is not only limited to it. It also consciously comprises a large series of preoccupations related to the standards of living.

Before all, security is synonymous with the fate of human collectivity and only later can we discuss about personal security, that of human beings seen as individuals. Buzan's major merit is that he defined the main domains of security, namely military, political, economic, social and environmental⁹.

With regard to risks, threats and vulnerabilities, B. Buzan analyzes the case of Poland¹⁰. The author considers that “from Poland's position between Germany and Russia will result its main vulnerability. So that between Poland and these two powers major natural obstacles do not intervene (*thus the vulnerability being created*), the Polish state being unable to consolidate sufficiently in the modern age in order to adequately answer this vulnerability (*thus the risk being created*), Poland being susceptible of being occupied any time (*thus the threat being created*). An offensive security policy by Germany or Russia transforms into a threat to Poland, due to strategic vulnerability and political risk.”¹¹

We can conclude that, in B. Buzan's view, vulnerability is considered an external characteristic of security, while threat is an internal one. Thus, vulnerability is a passive element (a “given” fact related to its geographical location, size of territory, population etc), while risk is an

8 Stuart BREMER, *Simulated Worlds: A Computer Model of National Decision-Making*, Princeton University Press, Princeton, 1977, p. 89.

9 B. BUZAN, *op. cit.*, p. 31.

10 B. BUZAN, *op. cit.*, p. 102.

11 *Ibidem*, p. 109.

active element (an “activated” vulnerability). For this reason, B. Buzan considers that the security policy has two dimensions: a national dimension and an international dimension. The national security policy will be oriented toward the *interior*, with the goal to reduce vulnerabilities and risks. At the same time, it will also be oriented toward the *exterior*, in order to avoid threats.

If we are to look into Romania’s case, the analysis of the 2010 Strategy for the Defence of the Country shows the presence of the same concepts, with the same meanings and uses: risk is defined as “the probability and seriousness of the existence of dangers or the probability to produce significant damage to national security interests, values and objectives”¹²; “threats are factors of an external origin through which national security interests, values and objectives are gravely damaged”¹³; the factors within the society “that increase threats are named vulnerabilities”¹⁴.

We consider that the model of analysis proposed by B. Buzan for national security and the process through which vulnerabilities, threats and risks are transformed imply a critical analysis because it is marked in its turn by limitations. The main inconsistency of the model refers to the transformative character of its elements: vulnerabilities have negative connotations only when the state has to compensate for them, becoming risks through internal actions, or when they become threats through the external actions of other entities acting in the area of its own vulnerabilities. This transformative process of the analysis model determines, as B. Buzan himself shows, any state to adopt countering strategies, differently said, strategies with a reactive character, lacking pro-activity and initiative. Another important limitation of Buzan’s transformative model derives from the initial indetermination of its elements and the narrow domains required by it. Because such a security strategy will always set off from vulnerabilities and will retain only those that are susceptible to transform into risks, and threats respectively,

according to the intentional source that models them, internal or external, which reduces from the very beginning the scope of the threats that can affect security as well as the domain of the risks that can influence security. For these reasons, we consider that the transformative approach of the Copenhagen School analysis model is reductive, insufficient and incomplete.

An approach that would overcome all these limitations should start from the premise that security, seen as an ensemble of elements characteristic to a system, is influenced by the nature of its composing elements and only in their nature will it find its true resources. At the same time, security, as a mental construct, cannot be only the result of a reactive attitude, but on the contrary, it must be, and in fact it is, a projective and proactive necessity. Security is not just a “state” as much as an “aspiration”. As an “aspiration”, the security that is pursued must always be compared with the state of reference, in terms of “less” or “more” security.

For a complete presentation of the model that we propose, it is necessary to (re)explain the concepts on which it is based. Thus, *threat* comes from the Latin “*minatio*”¹⁵, meaning potential danger, one that has not occurred, but which may occur. The term indicates, through its connotations, a negative potential of negative influence and always from an external sources of the individual or group existence. Also, threat requires the intentional action of an external actor capable of putting into practice that threat, not only the possibility of existence of the threat. The manner of manifestation of a threat becomes evident through techniques and procedures of equally physical and spiritual nature.

Risk must be seen as the probable end of an own action, with an insufficiently known end, but marked by the necessity of the decision to act. It is obvious and necessary at the same time to observe the presence of an internal intention and the existence of a decision necessary in relation with the uncertain end. Risk becomes thus only a matter of probability in the concretization of

12 Strategia Națională de Apărare a Țării, p. 13, www.presidency.ro, accessed on 20.09.2013.

13 *Ibidem*.

14 *Ibidem*.

15 Academia Română, *DEX – Dicționarul Explicativ al Limbii Române*, Editura Academiei, București, 1999, p. 67.

a predictable end, possibly positive or possibly negative. Uncertainty only envisages the probability to produce one of several, at least two, known ends.

Vulnerability represents the inherent, but “inert”, characteristic, lacking intention, of a system to disorganize, a “given fact” that is intrinsic to any reality marked by “existence”. Ontologically speaking, vulnerability is the reverse characteristic of what makes the existence of a system possible. Consequently, any vulnerability will also be the condition for the specific existence of the respective system.

From another perspective, any system present in a multitude of systems is subjected to the *threat* of being eliminated. Vulnerabilities and threats are mutually correlated, they look for each other and they complete each other. It is just that threats only come from outside the system of reference and concretely prove the non-necessary character of the system’s existence. Being subjected to threat, any system shows that in fact its existence is not automatically necessary. But non-necessity is obvious only in the situation where another entity, animated by intentions and action, can activate this potentiality.

Departing from these constitutive elements of the analysis model proposed by us, we can describe security as a level of continuous aspiration toward ensuring and perpetuating existence by a system of reference that is in a dynamic interrelationship with other systems, in which the sense of the aspiration is given by the tendency toward “more” security. The more a system can ensure “more” security for itself, the “more” security will actually have and the more it will be able to fully satisfy its own need for security. After all, “absolute security” will never be reached, because “security” will always be perceived at a superior level of existence, which will be reached through the exploitation of the “already reached” conditions of existence. From here, from this re-utilization and reconfiguration of the own potential, the *autopoietic* character of the model of security that we propose can be emphasized. In its autopoietic action, any system identifies its opportunities of existence,

but it also creates opportunities of existence when it finds that they are missing. After all, the strategic autopoietic of security is centred on the identification and generation of opportunities (interests) of existence based on whatever possible fundamentals.

Thus, we consider that national security must be described through *autopoiesis* – a reconstruction and reconfiguration that utilizes and (re)explains the internal relations of an open system, a system in which the respective entity retains at the same time part of its structure, but through the connections that it has with the other elements it rebuilds itself and/or adapts. The manifestation of such a system can be achieved at an individual level – through the current findings with regard to the assurance and (re) production of the individual existence, and also at state level – through the analyses referring to the application and pursuit of certain policies that envisage the assurance of sovereignty, independence, integrity, national identity. At the same time, the autopoietic model also ensures the existence of the level of reference, the initial level of security, not only the level of aspiration, the level of security to which the state aspires, as well as the sense of this aspiration, a sense which will always be toward “more” security.

Applying an analysis on the fundamentals of the security strategy in the perspective of the vision required by the autopoietic model emphasizes the following premises:

- In order to ensure the security of an entity – seen as an autopoietic system – it is necessary to become aware of and to obtain a *dynamic equilibrium* in a series of internal conditions and a series of external conditions.
- Vulnerabilities become an inherent and current character of the system, being internal “given facts” of the system which cannot be modified very easily and which require slow, long term, sometimes unobservable modifications. At the same time, vulnerabilities can be interpreted as own manners of relating with the existing environment of the respective system.
- Vulnerabilities are specific to each entity, being a system of particular components which differ from entity to entity.

- We observe that *risks* can no longer be considered expressions of manifested vulnerabilities, as B. Buzan states, but possible results with various degrees of probability, but with unique accomplishment.

- If vulnerabilities “exist”, having an “inherent” character, in the nature of the respective entities, the risks will represent the result of decisions of action, of “developments”, not of “inherent situations”, of certain developments led by intention, which require a certain choice, decision, a conscious and obvious intention at the initial moment, but insufficiently certain of the result.

- Consequently, any action by any entity will entail risks; for this reason, we consider that risks always exist, regardless of whether we are aware of them or not, of whether we consider them or not, as result of the decisions taken regardless of the situation.

- We consider that threats are not a produced risk – as B. Buzan claims –, but that they represent the actions that the system/entity faces as a consequence of an external action aimed at it, with an obvious and deliberate intention to negatively affect its security.

- We appreciate that the triad *risks-vulnerabilities-threats* does not fully describe the system of variables in which the system finds itself, an entity marked by the need for security, because this ensemble lacks the dangers that the systems/entities could have to face.

- We consider that dangers represent external elements that have certain non-intentional effects and consequences on systems/entities, with a potential to negatively affect their state of security.

- The analysis from the autopoietic perspective of the four elements (risks, vulnerabilities, threats, dangers) will raise the problem of measuring and of the way in which can be reconfigured and re-utilized the results and effects that they produce on the entity/system marked by the need for existence in security.

- The autopoietic modelling should predetermine actions and anticipate their consequences, foreseeing the least desirable situation that might cancel the occurrence of

the desired consequence and the most desirable situation which might favour the occurrence of the desired consequence. The result of this autopoietic modelling is *opportunity*.

- *Opportunity* represents the utilization of the security environment’s potential specific to a system / entity (environment characterized by specific risks, vulnerabilities, threats and dangers) for the own advantage, with the purpose to reduce the intensity of the “less” security vector and to increase the “more” security vector.

- The reduction in intensity of the “less” security vector is indirectly proportional with the capitalization of *opportunities*, while the increase in intensity of the “more” security vector is directly proportional with the capitalization of *opportunities*. *Opportunities* are configured and occur through the development of specific relations with each of the four elements of poietic reconfiguration and re-utilization of the model of analysis.

- Any result that requires a risk means in fact the achievement of a choice, of a decision of action. This decision can have desirable (positive) consequences or non-desirable (negative) consequences. The minimization of risks means the identification of the course of action through which, if not choices with desirable consequences, at least choices characterized by non-desirable effects as reduced as possible in intensity, can be made. Thus, the decisions envisaging desirable consequences will be favoured, and not those envisaging the non-desirable ones. This fact translates through the identification and capitalization of *opportunities* in relation with the risks of certain actions.

- Being “given facts” of the system/entity, vulnerabilities can generate opportunities by changing the perspective of interpretation and the role to be played by the entity/system from this perspective. Thus, *opportunity* in relation with vulnerability is manifested by seizing the moment and the capacity to modify the interpretation that confers to the “given fact” its vulnerable character and its transformation into a trump card. After all, as long as vulnerability is only a matter of interpretation of the conditions of

existence of a system, the capacity to reinterpret the same conditions is possible.

- Threats, being intentional external actions, can generate opportunities by attracting the attention of international stakeholders on the gravity of the negative consequences which will impact later. A system that will ensure its own existence by eliminating other systems, threatens in fact all the system, regardless of the degree of direct contingency with them. In a shorter or longer period of time, a particular threat marked by success will become a general threat. For this reason, the *opportunity* offered by any threat is inherent exactly to its constituency, through the fact that it can generate solidarity between the systems mentioned.

- Dangers, being non-intentional external states, cannot be attributed to an identifiable author, as in the case of threats. In spite of this, they have the capacity to produce negative consequences on the system. Opportunity in this case translates through the timely observance of dangers and the anticipation of the consequences that they could produce. Even if the elimination

of a danger is not possible, *opportunity* can indicate the directions of action through which the consequences can be reduced or minimized.

- It becomes obvious that, in an autopoietic modelling of the four elements of security analysis the capacity of systems to create opportunities that would lead to the increase of desired consequences and the decrease of non-desired ones over their state of security is constantly growing.

- Generating opportunities by vulnerabilities, threats and dangers derives from the perspective of the international situation interpretation, initially not a certain thing and definitely hard to achieve.

- The production of consequences by the four elements of the autopoietic model (risks, vulnerabilities, threats and dangers) correlated with the non-identification of the *opportunities* of the system give substance and content to the “less” security vector.

- The “less” security vector represents the element that the national security policy has to identify and *decrease* through security strategic measures and actions.

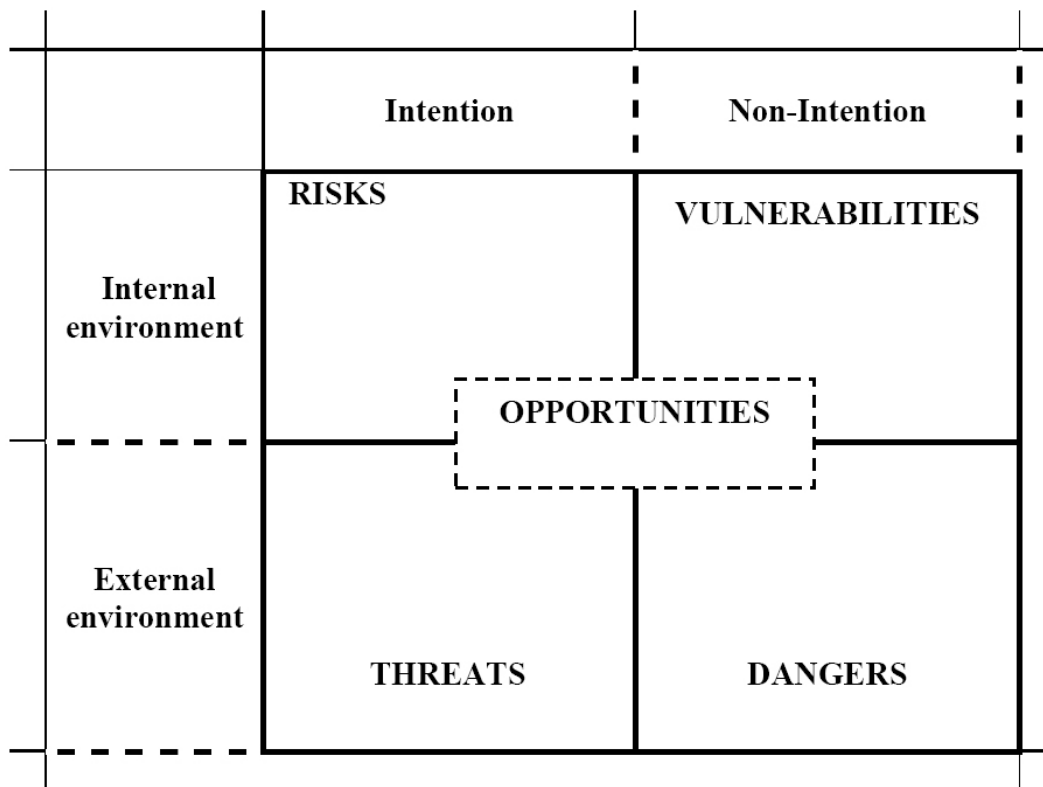


Figure no. 1: The RVTD-O analysis

- The “more” security vector represents the element that the national security policy has to identify and *increase* through strategic security measures and actions.

- Consequently, a national security strategy will have to be oriented toward the *exterior* with the aim to counter the threats and minimize the dangers and will have to also be oriented toward the *interior* with the aim to reinterpret the vulnerabilities and to minimize the risks.

- In conclusion, we propose for the analysis of security an autopoietic model based on five concepts: risks, vulnerabilities, threats, dangers and opportunities (RVTD-O).

This model can be represented in an analysis chart determined by the variables *intention* and *environment*, in which each of the variables takes binary values. We will name this table the RVTD-O model.

We underline that the matrix presented in Figure no. 1 confers a prospective character to the analysis of security, because it obliges us to foresee the result of our actions or non-actions, in terms of the type of environment.

From here onwards, we will analyze the *security vector* and the relations it establishes

with the RVTD-O analysis and the *intensity of security*. In order to analyze security at a macro level, we represent evolution on a model organized as a network, in which every actor involved in the study has a relation in a network type form with the other states. This network type form allows all the other mutual influences to propagate among all the members of the system, as suggested by Figure no. 2.

The security necessities lead to the emergence of interactions between entities, as actors of the system of states (organizations, alliances, stakeholders, other states etc). Within the interactions between them, states take certain decisions with regard to the implementation of certain security strategies. These strategies are based on the avoidance of threats and minimization of dangers (*from the exterior*), on the reduction of vulnerabilities and the minimization of the risks of negative consequences (*from the interior*). At the same time, these national security strategies are based on the *identification of opportunities* (non-action) and on the *capitalization of opportunities* (action).

Managing the relation between risks, vulnerabilities, threats, dangers and opportunities

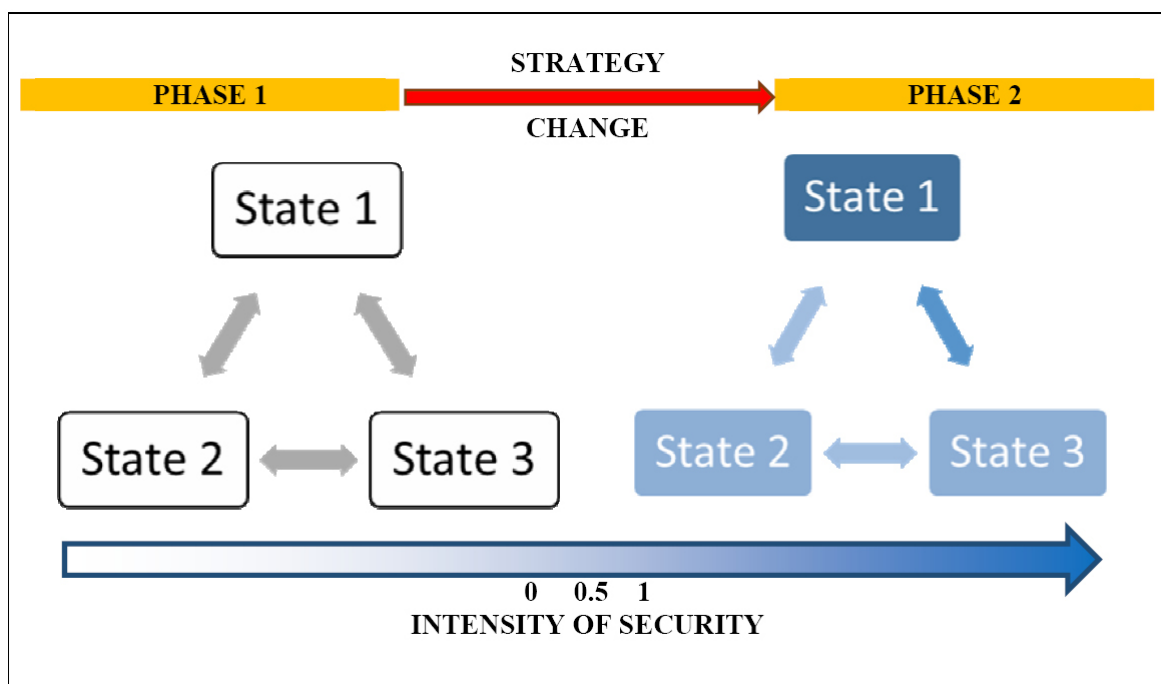


Figure no. 2: Representation of the security intensity

leads to the change of the international system from an initial phase numbered 1 to a later phase numbered 2. Phase 2 will be characterized by novelty/emergence. The states represented in Phase 1 are characterized by a certain S_0 security situation. In Phase 2, the nominated states are characterized by security situations of different intensities (S_1, S_2, S_3). These states were represented on a scale of security intensity from 0 to 1 rendered by the intensity of the blue colour (white = 0, pale blue = 0.5, dark blue = 1). They are influenced by the attempts of the state to diminish the intensity of the “less” security vector and to increase the intensity of security.

The fewer modalities are identified to avoid threats, to minimize dangers, to reduce vulnerabilities, to minimize the occurrence risks of negative consequences and the weaker the identification and capitalization of opportunities in a state’s security strategy, the more the security of the respective state will tend toward 0, and the security vector will lose its intensity.

At particular level, for the application of the RVTDO autopoietic model in view of establishing the directing lines of a possible national security strategy, the following four types of preliminary analyses are necessary:

- analysis of the past (*how we were*);
- analysis of the present (*how we are*);
- analysis of possible futures (*how we may become*);
- analysis of the level of aspiration (*how we want to be*).

With these four components in mind, the RVTDO analysis can be achieved, and the security vector could grow. With regard to the temporal condition of these instruments – an extremely important condition and the only one linking the model with the social reality, we consider that durable development is the key to understanding security, while long term thinking is the path on which a strategy must be conceived.

Conclusions

In this article, we proposed a different approach to security through an autopoietic type model. On the basis of this approach, we

synthesized some limitations in the conception of risks, threats and vulnerabilities that affect, through inadequacy and lack of reference, the current national security strategies. To this end, we elaborated an instrument that will ensure the fundamentals of a national security strategy: the RVTDO analysis: risks, vulnerabilities, threats, dangers and their transformation into opportunities specific and necessary to security.

The RVTDO autopoietic model of analysis is no longer a simple one, of a causal-determinist nature, but an intentional, active and re-interpretative one. At the same time, through the application of the autopoietic analysis and of the autopoietic model, the system can reconfigure and reutilize its own resources and can capitalize the consequences of its actions and of the systems with which it interacts.

By connecting these components of the analysis with the materialization of the security vector, we can show that the elements of the RVTDO autopoietic model provide as a product a strategic security concept with a stronger objective, determined character, not only an imaginative and speculative one, the way the transformative model based on the concepts of the School of Copenhagen does. Furthermore, we also mention a possible direction for future research: the development of the RVTDO analysis through particularized simulations on the sub-domains of the Copenhagen security model that will indicate the domains in which the risks, vulnerabilities, threats and dangers to national security manifest themselves and what are the opportunities which a national security strategy can be based on.

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CORRELATIONS BETWEEN CHARACTERISTICS OF INTERDEPARTMENTAL OPERATION AT CRISIS AND DIFFERENT ANGLES OF DEMILITARIZED STRUCTURES' INFORMATIONAL SUB-SYSTEM

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Either if we refer to police structures, prisons or military ground forces, the information's central role in their activity is unquestionable. When it comes to put information in a standardized system, for the demilitarized structures, there is no tangible approach in this regard. Beyond its' cybernetic characteristic, an approach which we consider useful to analyze the informational subsystem is by splitting it into two parts: guidelines and mechanisms. Analyzing further, we were able to make correlations between information and the characteristics of the interdepartmental operation at crisis. We highlight that the before mentioned type of operation is a new concept and in course of being scientifically explained, based on the concept of Joint Operation. The impact of this new kind of operation on national safety and security (the concept can also be used during war) is major and has implications one way or another, both on National System of Defense, Public Order and Security and also, at allied or coalition level, when Romanian forces will join foreign forces.

Key-words: demilitarized structures, information, interdepartmental operation, crisis.

1. Conceptual landmarks

In the context of our analysis, *the guidelines* are activities and processes with a high degree of predictability, meaning that there are susceptible for being regulated by standard operation procedures and, if followed, specific results are achieved. In contrast, *mechanisms* are components of informational subsystem with a high degree of autonomy, specially designed for achieving particular objectives. The analysis of those two types of concepts is included inside the boundaries of informational security elements, with some additional angles beside the traditional ones (confidentiality, availability and integrity). In what follows, we shall refer to a series of terms which we consider necessary to define, for a better understanding of the concepts¹:

Non-repudiation is the possibility to demonstrate, in any circumstance, that an event or action claimed by a person or other resource happened from the particular origin, at the specific time and in the conditions claimed.

¹ ISO/IEC 27000: 2012, points 2.49, 2.9, 2.56 and respectively 2.2.

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Authenticity is the property according to which information is original or according to the original.

Source trust level is the information's property according to which its' substance (consistency) determines the same type of behavior, reactions or results.

Management responsibility is referring to trusting one person or entity with the binomial authority/responsibility (regarding information management).

As stated in the beginning of the article, information and data concerning demilitarized structures² are not integrated into an authentic and standard aligned system recognized in this field³. Even if, in practice, some of the elements are present, those were not planned and implemented starting as a single concept, but as a result of just applying simple legislative provisions. This is the reason of my analysis and suggestions, which can be taken into consideration both in theory and practice in a future institutional initiative aimed to clarify the role and the place of informational subsystem in regard to the mentioned structures.

2. Critical information delivery mechanism for management

In my opinion, such an approach is essential, given the enormous quantity of information and data which are channeled from bottom-up to management level and eventually to the prison director or chief inspector from a police department. This research shows the following activity areas in regard to which the people responsible with decision making should benefit

from a secure⁴ and opportune⁵ information.

2.1 Budgeting execution field

Despite that the general trend is to put all financial⁶ accountability in the responsibility of the head of unit, in our opinion, not all activities in this field are relevant to fundament a decision at a top level management⁷. What is really important is the budgeting execution process⁸, which indicates the funds available and spendable (for a given moment). Even the primary legislation states that the first responsibility in this area is

4 From every angle (confidentiality, availability, integrity, from credible sources, authentic and without the possibility for the originator to deny its' content).

5 Delivered on time and appropriate for decision making context.

6 Arad Prison director's job description form 15.10.2010, al. 21.

7 One example can be when a public procurement for replacing a fixed asset is imperative for facility's security reasons or for staff integrity and safety, and the responsible for keeping the log for fixed assets informs the director or chief inspector that there is a possibility for that accumulated depreciation for that asset may be miscalculated for the last 12 years. In this way, the presumption that the acquisition of that asset might be illegal in the first place, and now it cannot be downgraded. Despite this potential legal issue, we advocate that the problem should be treated in the way which the public procurement should be organized, and in the same time (in parallel) and inquiry for determining if the acquisition was legal, should be developed. If the inquiry will show legal inconsistency regarding following the provisions for depreciating fixed assets, a procedure for holding responsible people accountable can be launched. During this investigation, the public entity can ask for cost deduction for the whole acquisition from the ones responsible. The conclusion of this example is that the information regarding the possibility of miscalculated depreciation should not be brought into attention all the way to the head of institution. It should only trigger predetermined mechanisms which are the line manager responsibility.

8 Specifically, the expenditures part. According to Law 500/2002, Art. 2/24 regarding Romanian public finances, budget execution includes also the income collection activity. In our opinion for demilitarized structures entities, this part of budgeting execution process is not providing data suitable to be included into the Critical information delivery mechanism for management. From this perspective, demilitarized structures are on obvious opposite side with institutions having as main purpose income collection for state budget like, for instance, National Agency for Public Finances and its subsequent units.

2 We refer generically to national Police Forces, Border Police and Prison System. Those structures were demilitarized between 2002-2004.

3 ISO 2700x with ISO 27000 – General definitions, ISO 27001 – Information Security Management System's description, ISO 27002 – Best practice Code, ISO 27003 – Guidelines for implementation of Information Security Management System, ISO 27004 – Measuring and Evaluation and ISO 27005 Information Security Risk Management.

belonging to the authorizing officer⁹ (i.e. the head of unit). Going further, it can be stated that we are interested mostly in the financial elements and their dynamic for funds allocated to good and services¹⁰. This category of information has great impact on all institution activities. Why are we considering this category first handed? First, because it shows the head of unit the optimum or the poor situation from financial resources perspective. It is trivial to remind the gravity of a situation when an important mission is planned in the smallest details (maybe with support and interdepartmental implication), is approved and accounted for in a mechanism with strategic objectives for the system, and when it comes to its actually development the necessary financial resources for fuel (art. 20.01) or for traveling outside the country (20.06) has been spent on a short notice, based on HQ urgent disposition or order.

Secondly, because it facilitates the emerging of professional skills, based on which the planning process and identifying objectives on one hand, and financial resources on the other, are put into connection. It is known that, especially at local level, people who are promoted on the top of demilitarized structures have operative background and there are few examples of head of units that have a financial career. We are not saying that it is the only reason, but it is one reason for which more than once, dimensioning the objectives for medium and long term remain simple declarations or, sometimes, it is preferred not to plan them at all from the beginning.

In another thought, we remind that it is possible to modify the budget structure between budget lower classification level belonging to the same budget substructure, but is only allowed upon

9 Going in-depth in this matter is not the purpose of this article. Nevertheless, we mention that budgeting execution process has four phases: engaging, liquidation, ordering and payment. Excepting the last one, all other phases are the primary responsibility of authorizing officer (the head of unit).

10 According to economic classification, we are especially interested in the Title II, art. 20.01 (goods and services), art. 20.02 (recurring maintenance), 20.3 (food), 20.05 (consumable assets), 20.06 (traveling) – Minister of Public Finance Order 1954/2005, Annex I.

request from authorizing officer (the head of unit) and with the approval of the superior authorizing officer (the head of the entire administration). Of course, some may argue that the chief financial officer may propose such budget modification, but practice has shown that this approach occurs only when the impossibility of engaged payment for good or services becomes imminent. This is why we consider that this legislative opportunity should be put in good use by manager's initiative, the only person who can have a global picture about the current situation for a given moment, and the one who is able to draft a short or medium time perspective.

2.2 The missions' effectiveness area

If, in the last paragraph, we spoke about general financial efficiency of demilitarized structure, our view is that the data regarding the missions' efficiency should be included into the Critical information delivery mechanism for management. We underpin this by the fact that, more than once, the real modification of objective reality on strategic level, after missions conducted by these structures remains without tangible results. From the large amount of reasons, we choose to refer to the most obvious one, which in the same time can become the one most suitable for immediate action. We speak about excessive bureaucracy¹¹.

In structures with pronounced accent on operations, various procedures designed to regulate some processes or specialized activities separated from the system in which there are belonging, have resulted over the time in various contradictions. One of the negative effects of excessive bureaucracy is in decreasing mission effectiveness. More than once, there were situations when operative vehicles haven't been fuelled in due time because the person responsible to approve by signature was temporary unavailable, and the appropriate signature right for the replacement hadn't been formally delegated by Daily Unit

11 We refer especially to the over-formalizing phenomenon, i.e. secondary and tertiary legislation or even from lower levels which became the most time consuming element to obey on. We are not suggesting that the bureaucracy has to be eliminated completely from demilitarized structures. We are just stressing the very high level it reached.

Order (decision). Back to the importance of information and data delivering for head units of demilitarized structures, our approach and opinion have another reason, according to which the structures we are analyzing are different than other public entities. This fact is closely linked to the meaning of the word mission. In contrast with specialized activities (we can find them also in the demilitarized structure, but they are omnipresent in civilian institutions), which are designed to follow a specific *outcome* and are characterized by routine or a cyclic form of achieving, the mission is demanding accomplishing and *objective*. Despite that the two words are used many times interchangeably, our opinion is that in the context of present analysis is an importance difference between them. If the specialized activity's outcome is obtained in a context and by having resources known from the beginning, accomplishing an objective involves having a certain percentage of uncertainty¹².

2.3 The area of informal relationships with impact on working environment

It is known that, in management activity, failure is not happening because of lack of knowledge in regard to legal provisions, of insufficient resources or of external (independent) factors of demilitarized structure. The main factor able to decide if management activity is to register success in the medium and long term or on the contrary failure, is the level of trust

¹² If we take as an example the *activity* (procedure) authorizing the personnel for access to classified information, from starters, the persons involved, the legal base, responsible entities are previously known, and after applying the procedure, we will obtain the result of granting or not of the security clearance or certificate. If we refer to an intelligence entity's *mission* for producing operative related intelligence, we will be in the presence of the need to accomplish one or more objectives (recruiting the informant, accessing technical information systems, intercepting hardcopies etc.). As it is easy to observe, elements like: the informant's personal characteristics, information's system network configuration, procedure for transmitting relevant sensitive hardcopies, all of them are variables (uncertain elements). For having them under control and/or for using them for accomplishing objectives it is necessary for the information delivery mechanism for management to have an input with relevant information, obtained or analyzed.

between team members (staff members). It is true that this statement is general valid and present in all public or private entities, nevertheless in the demilitarized structures, trust has its' own place. We are not saying that it is less or more important than in other institutions, we are only stressing that, in a work environment where military order has been replaced by the administrative decision (disposition), people tend to react differently. Before the demilitarizing process, in the institutions which we are analyzing the hierarchy and the order have been the backbone of these entities. In the current configuration, the hierarchy has been maintained, but the order was eliminated. For that reason, but also due to redesigning of organizing structure and the placement under an Internal Organizing Regulation which doesn't clearly state the relations between new working compartments, various informal micro groups have emerged. These are not identifying totally with the formal place and role which the organized structure is stating through official documents. So, managing the factors which can lead to decreasing trust (frustration, negativism, second guessing in decision making process, reactive attitude) can be done firstly by having a proactive (preventing) attitude in knowing them and secondly by having the right and opportune reaction to every indication in that regard.

3. The mechanism of identification and information risk management

In our opinion, every asset or value¹³ which contributes to a good development of current activity or leads to accomplishing the demilitarized structures' missions has an informational angle which, if compromised, may result in losing the objective advantage presumed by the very owning of that asset¹⁴. Because of this objective

¹³ We are using the term "asset", differentiating it from the value by its' intrinsic substance – tangible or intangible. Despite that in juridical terms the two words can be used as synonyms, we prefer this delimitation for endorsing and for putting on the same scale level tangible substance versus intangible substance.

¹⁴ For instance: 1. Compromising the information related to a IT&C system characteristics may lead to unauthorized access and infection or damage of some hardware components. 2. Compromising information related to operative

advantage, and also due to same independent factors, assets and values are always targeted by threats trying to exploit their vulnerabilities. This approach is not new, by any means. A lot of theory has been written about vulnerabilities, threats and information risks and many scientific research has been done¹⁵. Nevertheless, at Romanian governmental structures' level, a coherent approach of this matter is missing. Demilitarized structures are no exception, but in this case, we consider that implementation of such a mechanism is even more important, at least for national security reasons.

Risk, as an abstract notion, is expressed as *the possibility to encounter a danger, to be forced for fighting a difficulty or to be in the position to sustain a damage*¹⁶. From the information security point of view, in our opinion, risk can be understood as *the direct relation between the assets (value) importance, the vulnerability time exposure and the period in which the threat exists, all those three elements being in reverse relation with the readiness level of human factor*¹⁷.

Regarding the information risk management, many concepts have been written. Each of them has as starting point a few common principles. The mechanism we refer to will underpin on the same principles, but will also have some particularities which are coming from demilitarized structures' transport vehicle may lead to some vulnerabilities being exploited (safety element, communications) in such a way to cancel the advantages of such a vehicle in comparison to a regular one. 3. Unauthorized access to data regarding personnel disciplinary state may compromise values as institution image or prestige (we are not suggesting that such information has to be classified, but their public release must be done in a professional manner, complete and based on opportunity. In case of unauthorized access, this data maybe used outside the context in which they were initially stored or may be communicated to the public in an inappropriate moment with the intention of force correlation with a negative event for the institution which is not related to that particular information.)

15 Richard A. Caralli, James F. Stevens, Lisa R. Young, William R. Wilson *Improving the Information Security Risk Assessment Process* – Carnegie Mellon Software Engineering Institute 2007.

16 Romanian Dictionary (DEX), Third Edition, 2009.

17 We are referring to the following types of readiness: theoretical, awareness, alternative solutions and personnel experience.

hybrid nature – military structure in the past versus present and future existence more linked to civilian boundaries.

In the light of our scientific research, we identified four angles which a mechanism like the one we are analyzing has to cover: *protected asset and values, correlative threat, risk management methods and acceptable losses*. We will refer to them below.

3.1 Protected assets and values

Starting from the above definition, we advocate that assets and values should be included in an exhaustive platform, in a way in which their contribution, role and place in conducting specialized processes and also the actions and missions of demilitarized structure, to be constantly known. In this way, we create the possibility of knowing the complexity (architecture) of every asset, the associated cost for replacement in case it is compromised, and also the resources involved to respond to an incident when a threat succeeds to exploit a vulnerability.

Starting from the standards in this field, we propose a *Registry of Assets and Protected Values*. This instrument will reflect in concrete terms every entity that has to be protected, a detailed description of its components, vulnerabilities, the impact it has on the actions and mission in case of compromise, alternative courses of actions and their costs. Because of the large amount of data which have to be instantly correlated, we suggest a specialized software¹⁸ available both on-line and off-line (for crisis situations).

3.2 Correlative threats

This angle is dedicated for knowing the elements exterior to information subsystem, which in case of overlapping or intersected with its' normal functioning, may have a negative

18 A classic register using Microsoft Office software is not sufficient. A specialized software must include options such as: 1. Early warning, 2. Connections with financial resources capable to point out in real time the impact of insufficient funds on the ability of asset regeneration, 3. Suggesting of appropriate course of actions, 4. Medium and long term estimation of subsystem delivery capacity (affected mechanisms).

influence or even cancel this management system component. In this context, we define correlative threat as *any circumstance, situation or external event which may negatively impact an asset, by reducing the outcome for the mechanism, system or subsystem outcome and which is materializing in relation with one or more vulnerabilities.*

Viewing the matter from this angle, we propose the management of correlative threats starting from its' source. Even if there are many cases when direct action against correlative's threat generating sources is not possible, our opinion is that identifying, inventorying and conceptual dismantling can contribute to finding solutions for reducing threats' intensity. In other words, it is important to know not only the threat, but also from where it is generated. In practice, many times it is the case when more than one threat are targeting the same vulnerability or when false threats are introduced into risk's equation. For this reason, we consider reasonable to establish a priority able to take into account the actual threat, its' capacity to adapt, the potential to targeted specific vulnerability and the polymorphism capacity. From the same reason, we consider appropriate to create an automatic correlation possibility between threats with common characteristics (same source, aimed to same kind of vulnerability, the impact on the same process, action or mission). Such approach will allow for a more complete and less expensive answer from management side in the intention to eliminate or mitigate risks.

3.3 Risk management methods

Generally, the risk management is made through methods which mitigate, eliminate or externalize risks. For demilitarized structures, management of risks associated with information subsystem cannot be further than what we just mentioned. Nevertheless, we can propose three methods which can be applicable in our case, and based on which more precise control and a more quick reaction to information risks can be obtained. In our opinion, this methods are: human resources management method, adapting assets and values method and the method of determining

the balance of essential requirements. Due to space constrains and also due to special linkages that the last two methods presents between the Army and Ground Forces on one hand, and demilitarized structure on the other, in the present article we'll refer only to the first method.

Human resources management method – despite that, at first glance, this area will find its' place in the general activity of human resources management, we emphasize that we are proposing a *competences* management and not human *resources* based management. Also, despite the fact that our approach is not a new one, at least when we speak about it as a method of information risk management, we are able to highlight how can it be applied in our context and what are the boundaries inside of which it can provide the highest output.

When we speak about competencies, we refer to relevant professional skills, accumulated by demilitarized structures' staff in a certain context and in a long time frame. Managing these values can be done at individual level in a way that allows for the most appropriate of them to be used in a certain moment and implicitly in different manner, according to context. As it can be understood, this method has a very pronounced intrinsic component. For using it properly, the personnel motivation has to be optimally, which means that work environment has to be based on a continuously motivational transaction between the top manager and staff. Returning to the method itself, the series of composing elements are mutually interconnected and interdependent and cover two types of actions: stimulative based and skills based. Stimulative based actions are undertaken to develop new competencies, starting from the ones that already exist. Skill based actions are undertaken to develop a set of skills or even one unique particular skill. In our opinion, if both directions are pursued, information risk management will become more accessible and this method should be taken into consideration when an analysis is made regarding designing such related mechanism as part of information subsystem.

We advocate that the above presentation, as

during the observation of information flow within the mechanism of identifying and managing information related risks (on demilitarized structures level) specific features emerged, as follows:

a) Starting from the mentioned risk calculation formula, the competence of human factor is paramount. If, for instance, in a civilian institution, an employee with secondary education can be replaced in his/her activity relatively easy with somebody having the same education level, in the demilitarized structure, this can be done with much greater difficulty. One year post secondary school courses within the police or prison related education system indicate best the time and the high degree of complexity required to train a staff member belonging to these structures. On top of this fact, we emphasize that any risk which materializes in these structures' activity has significant impact on fundamental values (life, physical integrity, property) or even on national security. Without trying to suggest that civilian institutions' activity is less important, we believe that human and state related risks are essential.

b) Starting from one of the reasons for which we propose redesigning of information subsystem – i.e. concentration of management focus to missions and not so much on routine activities – constant adjustment of protected assets and values, will lead to the necessary hierarchy which will allow the allocated resources for information risk management to focus with priority on assets of first hand importance judging by the moment when they are assessed¹⁹.

19 Let us take the next example: there are two IT&C networks, one for collecting and centralizing data for the internal audit structure (analysis process being made biannually according to Minister of Public Finance Order no. 962/04.07.2007) and the second is used for sustaining operative missions under development. If in September a decision must be made concerning an upgrade in the network security protection which can be done only on one of the networks, following the information risk management method, the security update must be applied to the second network. The decision will be based on the fact that in case of the compromising of first network, the data can be recovered by the end of the second semester. The implications are clear if the network which supports ongoing operative missions will be compromised and this because of the security upgrade being applied to the audit network.

c) In crisis situation or during a military conflict, demilitarized structures will enhance their fighting (operational) capacity. Such situations can lead to new realities, unregulated and with a potential development hard to anticipate. In this conditions, information security can be kept in reasonable parameters as long as there is an early understanding of the degree to which the integrity, availability and confidentiality belonging to informational angle of an asset or value will suffice. There are cases when information transmitted using unsecured channels (we are in the presence of compromising the confidentiality) can still be useful if it gets at its destination in appropriate time. For this to happen, particular information has to benefit from a superior level of availability in comparison to other information, even if this happens on the confidentiality expense. Contrary to the last example, there can be situations when confidentiality is of paramount importance and this must be secured even on expense of availability or integrity.

3.4 Acceptable losses

Once we identify assets and values which require protection, for each of them there has to be established the maximum extent to which the information angle can be compromised without significantly prejudicing the objective advantage which is provided by that asset or value. Our opinion is that the idea according to which every information regarding an asset has to be protected in the same way, should be avoided. The same thing goes for thinking that disclosure of some of the information or data, even without authorization, may automatically lead to compromising the asset. Of course, the asset nature or value will indicate most of the times where is the critical point beyond which the objective advantage ceases to exist in normal parameters. One should not always start from the idea that all assets are capable to react by themselves, especially when we are dealing with complex elements. For a better flexibility and also for simplifying the access to such data, we believe that a scale of three to five levels would

be capable to rapidly indicate and to send an alert in case a threat emerges or in case of effective compromise.

4. Recovery mechanism of minimal information capacity

We believe such a mechanism is necessary to avoid blockage caused by an unexpected event resulting in serious damage of capacity and institutional capabilities. Our proposal goes beyond simple crisis response plans and refers primarily to making a hierarchy of processes, activities and missions that can keep the structure functioning at the least acceptable level. This means that the institution is not only surviving the crisis, but is also able to fulfill the primary tasks that define its very existence.

Starting from the important and well-defined role that police and the prison system have in the National System of Defense, Public Order and Security, in connection with our proposal, there arises a legitimate question: what can be the role of a mechanism like the one we are analyzing, when in critical situations (crisis) more important seems to be the very existence of physical elements with which the institution will have to cope? We will explain ourselves in the following paragraphs.

Firstly, the mechanism in question will be designed to accurately identify, prior to the undesirable event, which processes, activities and missions must be kept operating, for the institution to be able to secure the accomplishment of major objectives²⁰. At a first glance, there seems not to be very complicated, but the challenge of designing and operating such a mechanism is starting from the overall dynamics and complexity of each demilitarized structure²¹.

20 We refer to the maintenance of public order by national police forces, ensuring the integrity of the state border structure by border police, and the inmates' custody for the prison system.

21 Just a few examples: a) the inconsistency of financial resources and their allocation without predictability (in one year are issued over twenty budget files and at least three budget amendments) b) organized crime in continuous metamorphosis (although some groups are deconstructed, there are always new means, resources, organizational

Secondly, we believe such an approach is important because of a reason closely linked to the existence of identifying and information risk management mechanism, as described above.

The absence or the compromising of information which provides the objective advantage of having the asset or value, will put under serious question the restarting of essential elements. That is why a well-tuned minimal recovery information capacity can contribute significantly to the survival of the whole institution.

From what we expressed so far, it can be concluded that the information subsystem belonging to structures as the ones we analyze cannot be left to chance. Even though it may seem abstract, working with information must be as accurate and as centered on potential crises, both in terms of their prevention and on removing or limiting their consequences. A review of the particularities of Interdepartmental Operation in crisis situations will further highlight the need for an information subsystem existing in the boundaries described above. Direct relationship existing between the characteristics (specific features) of this type of operation and information subsystem is endorsed by the need for flexibility both by the ground forces and the demilitarized structures.

The social, urban, complementary and polyvalent characteristics that are very present when we describe today's forces, also being endorsed by the set of unknown elements generated by the element of surprise, requires, in our view, to have an information subsystem configured as close as possible to the mechanisms described above. Otherwise, we believe we'll face major failures, also with potential negative impact to allied forces when they'll intervene to support Romania in a NATO Article 5 type situation).

From our point of view, we define *crisis* as a serious negative event, having great impact on national or regional impact produced without

models and leaders who reappear in the crime space, more complex and having new potential) c) managerial, and sometimes political instability (new strategic objectives are assumed or priorities are reassessed).

prior obvious notice and whose management is the responsibility of state authorities.

Following our analysis, three scenarios resulted, which indicates that joint participation of ground forces, demilitarized structures and other special structures²² is the only way for this serious events to be kept under control. The matters in question are large scale disasters, powerful civilian unrest and terrorist attacks on national soil. We used the in our definition the expression “without prior obvious notice”. In this way, we want to stress same aspects, in order to justify the interdepartmental approach we proposed for managing crisis with significant implications at national and potentially internationally. It is obvious that none of the three types of crisis mentioned will not provide clear early warnings about the time or place in which they are about to happen. Neither the scale nor potential implications can be fully anticipated. For those reasons, an interdepartmental approach is requested by a series of aspects, like: total or partial surprise, social character of the subsequent intervention²³, complementary and polyvalent of forces’ characteristics, urban related operation type and balance between specialized and brute force intervention. For a better understanding, we present the concept below.

The element of surprise

As we mentioned before, the surprise can be total (in case of natural disasters) or partial (terrorist attack – when the threat level is elevated, public order crisis – when there are elements and analyses based on which it can be anticipated the escalation of a large scale street protest, industrial accidents – when early warning systems of sensitive objectives are indicating safety issues). By analyzing this characteristic, we understand that an important element is represented by the

22 Militarized structures of Ministry of Interior and other special services (Romanian Domestic and Foreign Intelligence Services, Romanian Protection and Guard Service, Romanian Special Telecommunication Service).

23 We refer to the fact that such operations are primarily intended for population and civilian society’s components (the functioning of essential systems and government processes – judiciary, public order, reliability of critical infrastructure).

operational capacity in close relation with the response time. One of the general characteristics of demilitarized structures is that they are distributed equally in the country. This allows for the forces to intervene on time both in missions during normal peace time, but also during a crisis. Starting from the geographical location, our opinion is that there are all elements to avoid or to limit most of the effects of the surprise element, subject to two conditions: one is about the existence of an integrated approach in regard to *regional vulnerabilities*, correlated with the existing forces and means, and the second is about the designing and permanent adapting of the various courses of action in the first reaction phase (first response or first intervention). We consider that, in this way, the necessary interface will be secured and updated regularly in relation to its dimension and course of action, which will result in the most appropriate method of engagement for the forces participating in Interdepartmental Operation.

The social character of the subsequent intervention

This aspect distinguishes the Interdepartmental Operation from classic military operations. If for the latter, gravity and decisive points are aiming mainly military objectives, in situations like the ones we are analyzing, the danger is targeted towards civilian population, which is not (at least theoretically) involved in military confrontation. Of course, danger for civilian population is present when classic military operations are engage, but the target cannot be the civilians. Even if the casualties number can be high, those victims are collateral damage and not as a planned outcome. It is a total different picture in the situations subject to this chapter. A terrorist attack will always target civilians. A natural disaster or an industrial accident will result in civilian casualties mainly because of the chaotic and unpredictable way in which they project their destructive potential. A public order crisis will affect the safety and eventually the normal life of the communities from the area in which they will occur or even at national level. This is why we believe that this aspect of Interdepartmental Operation in crisis



situations must be considered in all development stages. The definition expressed by Venette Steve James²⁴ enforces the idea that a crisis only occurs when the system in which it is manifesting needs a change. According to him, if the system will be in parameters correlated with the reality which is generating the crisis, this will only occur as an event or as an incident at the most. The pronounced social character which we include in our analysis has the power to contradict even this hypothesis. In other words, one cannot support the idea that crisis like the ones we mentioned before are occurring because the National System of Defense, Public Order and Security is not adapted properly, as well as the system cannot control or precisely predict the way a large crowd of people behave or react.

Complementary and polyvalent forces' characteristic

We are having in mind the fact that, for succeeding with an Interdepartmental Operation, the components and elements belonging to every participant structures must be interchangeable, should be able to take actions (react) to a wide range of challenges and to be flexible enough at decision making level (there can be situations which demand for some resources to be deployed, relocated or changed, but it is very hard to reach a decision because we are speaking about separate structures). This characteristic is in fact a precondition of interoperability, but it is not the concept itself. When we speak about complementary capacity we refer to "resource tank" which belongs to every participant structure. Interoperability is functioning when end products (complete services, intelligence, specialists) can be provided or received by entities belonging to different systems²⁵. The characteristic we indicate

is apart also from compatibility standard because the last one is missing the property of being able to replace important parts of resources in the benefit of a different system. Compatibility is visible when structures are able to act together, close to each other as compact entities. Forces' polyvalence is asking for the necessity of accomplishing specific missions, ad-hoc emerged or general expected, mostly under time and dynamic pressure. This ability is depending on the percentage of mobility and action independency on which participant forces are able to develop from the tactic perspective.

Balance between specialized and brute force intervention

Despite that Interdepartmental Operations have a pronounced social character (as we described above) in every case the coercive elements will be present. Either if one refers to an implicit coercion (restriction of civil liberties) or an explicit one (anti-terrorism intervention, restoring public order, managing general panic situations with destructive or anti-social potential), the use or the threat of using force will be present every step of the operation's development. We are mentioning the necessity of this balance because, in our opinion, it has another shade than in operations, where the participants are military forces only. In military confrontation, opponent troops are military personnel and the space in which the war is taking place is called battle field. In Interdepartmental Operation during a crisis situation, at least one side is civilian and the space is usually a living or potential living area. It is obviously that, in this case, the risk of having victims and collateral damages is much higher than in the first case. For this reason, we consider that the troops which are trained to use brute force (military force) must adapt their training up to the point where a balance will be reached between them and the forces which are in charge with specialized intervention (ex. extracting and isolating turbulent persons during public order crisis, neutralizing terrorist elements, applying coercive measures on persons who cause panic).

²⁴ *Risk communication in a High Reliability Organization*: PhD Dissertation – North Dakota State University – Fargo, 2003, p. 81.

²⁵ **Example: both Ground Forces and Police Forces have structures which can act in hostage situations.** If the same type of mission can be done in similar parameters by both structures, then the capacity of the two entities is complementary. If a specialist like a sniper can integrate him successfully from one structure to another then we may say that the interoperability standard is achieved.

Significant factors which result from urban type operation

In contradiction with western states with democratic traditions, ex-communist European countries designed their urban areas in similar way. Romania does not make an exception. On a simple observation, there are common elements which can be observed in every city (town) plan: the existence of limited number of main streets for entrance or exist (one or two as a general rule); with the exception of Romanian capital, all other cities are placed on limited surface; blocks of flats are built after the same architectural principles; the vast majority of auto roots have only one line in one way; main institutions are located in the city center.

Regardless of the Romanian investing policy, society has interacted permanently with urban areas. As a result, the urban configuration was and remains in a continuous change, fact which is canceling its' neutral state, meaning that it is in the position to facilitate or, on the contrary, to make more challenging the operations' missions.

The configuration of the access routes and specially the secondary ones (alleys, streets) will have significant impact on operations' development, because, in the dispersing phase, this routes will be used for civilian evacuation and also by hostile elements who will plan and execute counterattacks against government forces. There are three types of roads configurations: radial, parallel and irregular. One trend of our time infrastructures is the appearance of auto and pedestrian suspended roads. According to their position, the forces' intervention process can be more accessible or, on the contrary, more difficult. Regardless of its configuration, any operation conducted in urban area will be successful only in the context of collaboration of every mentioned entity, because by their presence and specialization can contribute in supporting Interdepartmental Operation by intelligence,

knowledge and expertise. The area of interest can be in economics, demographic, organization and informal influence, cultural, spiritual or civic sense.

Conclusions

The existence and viability of informational sub-system from demilitarized structures, with mechanism able to provide relevant informational elements for leadership in crisis situations, capable of a precise information risk management and appropriate to recover the minimum informational capacity is a *precondition* for a clear and effective role of demilitarized structures in the Interdepartmental Operation.

If, in the case of Joint Operation (perceived and treated as the most suitable approach of war on national soil), the participant are military forces among which there is a mutual compatibility and interoperability when we refer to information, but in case of Interdepartmental Operation, the additional participant forces (with human resources potential at least equal to Romanian Army) *are not prepared in this moment* (at least as the informational subsystem concerns) *to rapidly redefine their priorities* and to join military entities like, for example, Ground Forces.

Our opinion is that demilitarized structures are not supposed to be disregarded from military planning process, because they possess significant resources which can decide on objectives' accomplishment or the contrary, not involving them may result in failure to reach strategic level objectives.

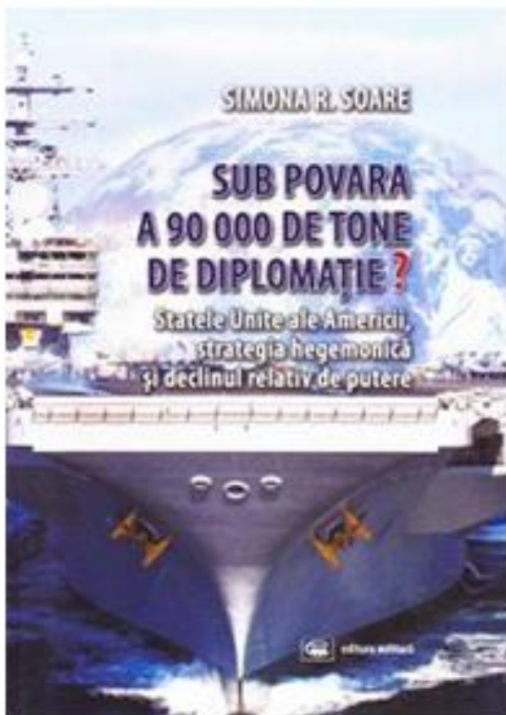
We advocate that the success in participation of demilitarized structures in Interdepartmental Operation on serious national crisis will depend largely on their capacity to quit in following (sometimes obsessively) excessive internal bureaucratic procedures, and their ability to take part in accomplishing operative and strategic level objectives.

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POWER DILEMMAS: BETWEEN EXPANSION AND DECLINE

Mihai ZODIAN, PhD



Review: Simona R. Soare, *Sub povara a 90.000 de tone de diplomație? Statele Unite ale Americii, strategia hegemonică și declinul relativ de putere* (Under the burden of 90,000 tons of diplomacy? U.S.A., its hegemonic strategy and the relative power decline), Editura Militară, București, 2013, 308 pages.

This book is one of the most interesting academic contribution from the Romanian International Relations (IR) to the study of world politics and of U.S. external relations published

lately. Using the neoclassical realist theory, Simona Soare investigates the much publicized thesis of US decline and of the rise of other major actors. The approach is centered on a comparison between the theoretical argument and an analysis of principal capabilities indicators, the economic and military ones¹.

The fundamental idea is that declinism constitutes an exaggeration of the importance and consequences of the recent economic problems, such as those related to the conflicts in Iraq and Afghanistan or economic crisis that began in 2007-2008. Despite the difficulties faced by the American decision makers, the author believes that the current troubles lack a profound character and do not lead to an imminent catastrophe². Moreover, declinism is more of a rhetorical artifice and a state of mind than the result of a systematic reasoning.

Neoclassical realism represents an attempt to complement and reformulate neorealist structuralist theories, especially the argument

1 For reasons of clarity, I will use *capability* to mean power seen as a resource and *power* for the meaning of relationship. See also François CHAZEL, "Puterea", in Raymond BOUDON, *Tratat de sociologie*, Editura Humanitas, 2006.

2 Simona R. SOARE, *Sub povara a 90.000 de tone de diplomație? Statele Unite ale Americii, strategia hegemonică și declinul relativ de putere*, București, Editura Militară, 2013, pp. 27-31.

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regarding the automatic balancing tendency, more precisely, the formation of coalitions or weapon development in response to the increasing capabilities of a dominant actor. The novelty is achieved by introducing variables taken from the domestic policy and by the recovery of some of the concepts promoted by the founders of realism³.

The author argues that the declinist advocates have not managed to gather sufficient evidence to make their point. Simona Soare studies in detail the main ideas, which is in itself a contribution to the development of specialized academics in Romania where, despite translations in recent years, the topic was not addressed in a wholistic way. Here are discussed the ideas of Robert Gilpin, George Modelski, Joshua Goldstein, Barry Posen and Paul Kennedy, familiar from the IR theory, but also of some popular authors as Niall Ferguson.

She identifies four causal hypotheses supported by declinists: trends in the international system, decision errors, development of other great powers, domestic criticism regarding Great Power politics, and quite convincingly rejects the majority⁴, then uses military capabilities and economic indices to argue that the United States remains the main actor in world politics. A certain ambiguity is manifested in the assessment of the consequences of the rise of other centers influences because if power is relative / assessed by comparison, it follows that this phenomenon involves a declining trend, even if of more modest amplitude. Also, one can criticize the choice of power resources index, seen here as context-independent capabilities, which may lead to some

inaccuracies, as Andrei Miroiu argued⁵.

First, the United States has not entered into an irreversible downward spiral and can overcome the problems of deficit and debt⁶. Then, the security policies' costs are lower than the critics are thinking, as the defense budget is only 4% of GDP while the burden of maintaining external forces is small compared to other costs, for example those involved in reducing taxes during the Bush administration and various budget lines⁷. A similar logic applies to the contributions within NATO, where the percentage of GDP allocated to defense, although unbalanced, does not differ radically from the past and while the actual contributions to NATO budgets are balanced and relatively low⁸.

Why, then, is the declinist perspective so popular? Simona Soare identified a number of reasons: psychological reasons, state of spirit or ideological debates. Fundamentally, the neoclassical realism and related perspectives are promoting conservative ideas of moderation in expenditures and regarding external interventions, although, here, ironically for theorists of international relations, its followers underestimate the influence of foreign actors. Among their policy proposals, the author identifies the withdrawal, offshore balancing⁹, which adds two alternatives discussed in the U.S. media: military unipolarity and hegemonic coordination¹⁰.

Simona Soare considers the first two options are impractical, very expensive, unreliable and ideologically driven. Moreover, one may add that the premises of strategies, such as offshore balancing, contradict the power transition/decline theories with which they are combined, because the first assume that the logic balancing is the fundamental logic of the international system,

3 Christopher LAYNE, *Pacea iluziilor, Marea strategie americană din 1940 până în prezent*, Iași, Polirom, 2011; Randall SCHWELLER, *Deadly Imbalances: Tripolarity and Hitler's Strategy of World Conquest*, Columbia University Press, 1998; Randall SCHWELLER, *Unanswered Threats: Political Constraints on the Balance of Power*, Princeton University Press, f.l., 2004; Fareed ZAKARIA, *From Wealth to Power, The Unusual Origins of America's World Role*, Princeton University Press, f.l., 1999 and Colin ELMAN, John A. VASQUEZ; *Realismul și balanța de putere*, Iași, Polirom, 2012.

4 Simona R. SOARE, *op. cit.*, pp. 60-84.

5 Moreover, to evaluate the capabilities, one has to take into account the performance measured by comparison with the majority of criteria, not of all. See also Andrei MIROIU, *Balanță și hegemonie*, Tritonic, 2005, pp. 28-31.

6 Simona R. SOARE, *op. cit.*, pp. 153-160.

7 *Ibidem*, p. 29, pp. 254-263.

8 *Ibidem*, pp. 28, 30.

9 *Ibidem*, p. 251.

10 *Ibidem*, p. 282.



BOOK REVIEW

while the others, the opposite, that world politics is defined by hegemony. In her opinion, the most effective alternative is hegemonic coordinating and developing global partnerships by increasing the security responsibilities of U.S. allies, particularly the European states and the EU as organization.

Starting from the premises of neoclassical realism, the author has stated quite convincingly

that the fears of the imminent collapse of American power are not only exaggerated, but also counterproductive. This paper is an accessible introduction to debates on theories of hegemony, the long-term cycles and the transition of power. In conclusion, *Under the burden of 90,000 tons of diplomacy* is a useful reading for specialists in the field, and the general public interested in the subject.

ACTIVITIES OF THE CENTRE FOR DEFENCE AND SECURITY STRATEGIC STUDIES

JANUARY - MARCH 2014

In the first quarter of the year, researchers of the Centre for Defence and Security Strategic Studies (CDSSS) published the following studies: *Implicațiile participării României la dezvoltarea capabilităților în cadrul multinațional organizat de NATO și UE prin inițiativele “Smart Defence” și “Pooling and Sharing” asupra revizuirii strategiei de transformare a armatei române* (Implications of Romania’s participation in developing capabilities in NATO and EU multinational frameworks by “Smart Defence” and “Pooling and Sharing” initiatives, upon the revision of Romanian Armed Forces’ Transformation Strategy), authored by Mirela Atanasiu, PhD and *Mediul de securitate euromediteraneean la început de secol XXI* (The Euro-Mediterranean Security Space at the Beginning of the Millennium), authored by Cristina Bogzeanu, PhD.

Within the homaging suite of events celebrating 10 years of Romanian NATO membership, on March 27, 2014, CDSSS organized the Seminar entitled “Romania - 10 years of NATO membership. Adaptation and contributions to the Alliance’s Modernization”. At the seminar, there held presentations representatives from the leadership of the Ministry of National Defence, Presidential Administration, Ministry of Foreign Affairs, EURISC Foundation and “Carol I” National Defence University. In addition, representatives of “G. S. Rakovsky” National Defence Academy in Bulgaria have contributed scientific papers.





CDSSS AGENDA

The event benefited from the participation of senior specialists, and the represented institutions called for an appropriate perception of the implications manifested by the adapting process undergone by the political and military structures in Romania for the Euro-Atlantic framework, as well as the responsibilities outlined in the present context – complex and sometimes contradictory – and, especially, of a future characterized by uncertainty.

This year's CDSSS agenda includes two workshops entitled “Romanian Geopolitics and Geostrategy. Tradition and Modernity” (May, 29th) and “Post-Crisis Geoeconomic Trends” (September, 25th”).

Entered in the tradition of the Centre, STRATEGIES XXI International Scientific Conference with the theme “The complex and dynamic nature of the security environment” will be held this year on 25 and 26 November. Those interested in participating are expected to join this activity. Detailed information is displayed on the Conference website at www.strategii21.ro, respectively on CDSSS website, at http://cssas.unap.ro/index_en.htm.

*Irina TĂTARU**

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GUIDELINES FOR FOREIGN AUTHORS

We welcome those interested in publishing articles in the bilingual academic journal *Strategic Impact*, while subjecting their attention towards aspects to consider upon drafting their articles.

ARTICLE LENGTH may vary between 6-12 pages (including bibliography and notes, tables and figures, if any). Page settings: margins - 2 cm, A 4 format. The article shall be written in Times New Roman font, size 11, one line spacing. The document shall be saved as Word 2003 (.doc). The name of the document shall contain the author's name.

ARTICLE STRUCTURE

- Title (centred, capital, bold characters).
- A short presentation of the author, comprising the following elements: given name, last name (the latter shall be written in capital letters, to avoid confusion), main institutional affiliation and position held, military rank, academic title, scientific title (PhD. title or PhD. candidate – domain and university), city and country of residence, e-mail address.
- A relevant abstract, which is not to exceed 150 words (italic characters).
- 5-8 relevant key-words (italic characters).
- Introduction / preliminary considerations.
- 2 - 4 chapters, subchapters if needed.
- Conclusions.
- Tables / graphics / figures shall be sent in .jpeg / .png. / .tiff. format as well. Below will be mentioned “Table no. 1, title” / “Figure no. 1 title”; the source, if applicable, shall be mentioned in a footnote.
- REFERENCES shall be made according to academic regulations, in the form of footnotes. All quoted works shall be mentioned in the references, as seen below. Titles of works shall be written in the language in which they were consulted.

Example of book: Joshua S. GOLDSTEIN; Jon C. PEVEHOUSE, *International Relations*, Longman Publishing House, 2010, pp. 356-382.

Example of article: Teodor FRUNZETI; Marius HANGANU, “New Paradigms of Armed Combat and their Influence on Military Forces’ Training”, in *Strategic Impact*, no. 4/2011, pp. 5-15.

Example: John N. NIELSEN, “Strategic Shock in North Africa”, in *Grand strategy: the View from Oregon*, available <http://geopoliticraticus.wordpress.com/2011/03/03/strategic-shock-in-north-africa/>, accessed on 10.03.2013.

Electronic sources shall be indicated in full, at the same time mentioning what the source represents (in the case of endnotes, the following mention shall be made: accessed on month, day, year).

- **BIBLIOGRAPHY** shall contain all studied works, numbered, in alphabetical order, as seen below. Titles of works shall be written in the language in which they were consulted.

Example of book: GOLDSTEIN, Joshua S.; PEVEHOUSE, Jon C., *International Relations*, Longman Publishing House, 2010.

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Electronic sources shall be indicated in full, at the same time mentioning what the source represents.

SELECTION CRITERIA are the following: the theme of the article must be in line with the subjects dealt by the journal: up-to-date topics related to political-military aspects, security, defence, geopolitics and geostrategies, international relations, intelligence; the quality of the scientific content; originality of the paper; novelty character – it should not have been previously published; a relevant bibliography comprising recent and prestigious specialized works; English language has to correspond to academic standards; adequacy to the editorial standards adopted by the journal. Editors reserve the right to request authors or to make any changes considered necessary.

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DEADLINES: authors will send their articles in English to the editor's e-mail address, impactstrategic@unap.ro, cssas@unap.ro, according to the following time schedule: 15 December (no. 1); 15 March (no. 2); 15 June (no. 3) and 15 September (no. 4). If the article is accepted for publication, an integral translation of the article for the Romanian edition of the journal will be provided by the editor.

Failing to comply with these rules shall trigger article's rejection.

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